



West Buckinghamshire Area Planning Committee agenda

Date: Wednesday 13 December 2023

Time: 6.30 pm

Venue: High Wycombe Council Chamber, Queen Victoria Road, High Wycombe, HP11 1BB

Membership:

A Alam, M Ayub, A Baughan, S Guy, I Hussain, D Johncock, N Marshall (Chairman), C Oliver (Vice-Chairman), S Raja, M Turner, P Turner and K Wood

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Agenda Item	Page No
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1	Apologies for Absence	
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2	Declarations of Interest	
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To receive any disclosure of disclosable pecuniary interests by Members relating to items on the agenda. If any Member is uncertain as to whether an interest should be disclosed, he or she is asked if possible to contact the Monitoring Officer prior to the meeting.

Members are reminded that if they are declaring an interest they should state the nature of that interest whether or not they are required to withdraw from the meeting.

3	Minutes of the Last Meeting	3 - 4
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To note the minutes of the meeting held on 15 November 2023.

Planning Applications

4	23/05913/FUL - Outbuildings Rear of Greenacres, Bovingdon Green, Marlow	5 - 26
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5	23/06695/R9FUL - Princes Risborough School, Merton Road, Princes Risborough, HP27 0DR	27 - 38
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6	CC/0015/23 - High Heavens Household Waste Site, Clay Lane, Booker, SL7 3DJ	39 - 58
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7	Date and Time of Next Meeting	
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Wednesday 10 January 2024 at 6.30pm.

8	Availability of Members Attending Site Visits (if required)	
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To confirm members' availability to undertake site visits on Tuesday 9 January 2024 if required.

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

For further information please contact: Liz Hornby on 01494 421261, email democracy@buckinghamshire.gov.uk.



West Buckinghamshire Area Planning Committee minutes

Minutes of the meeting of the West Buckinghamshire Area Planning Committee held on Wednesday 15 November 2023 in High Wycombe Council Chamber, Queen Victoria Road, High Wycombe, HP11 1BB, commencing at 8.15 pm and concluding at 9.29 pm.

Members present

A Alam, A Baughan, S Guy, I Hussain, D Johncock, N Marshall, C Oliver, M Turner, P Turner and K Wood

Others in attendance

K Asif, C Brailsford, B Dadi, L Hornby, I Malik, R Martin and M McKane

Apologies

M Ayub and S Raja

Agenda Item

1 **Declarations of Interest**

Councillor C Oliver: Planning application number 23/06374/FUL – declared an interest due to being a Ward Councillor who had called the application to Committee. She also declared that she was the Chairman of the Hazlemere Parish Council but that she had not taken part in any discussion relating to the application and had made no determination. She declared that she had an open mind, would listen to the debate before reaching a decision.

2 **Minutes of the Last Meeting**

The Minutes of the meeting held on 18 October 2023 were agreed as an accurate record.

3 **23/06374/FUL - Sylvan, Manor Road, Hazlemere, HP10 8JA**

Proposed sub-division of Sylvan plot to create the construction of 1 x 3-bed dwelling with associated outbuilding and new drive.

This application was the subject of a site visit.

Members noted the written Update.

Following a full debate, Members voted in favour of the motion to refuse the application on the first reason for refusal only in the recommendation made by the officer and not the second reason for refusal as laid out in the officer's report.

Speaking as Ward Councillor: Cllr E Gemmell

Speaking in objection: Mr B Mapletoft

Speaking on behalf of the applicant: Mr R Berry and Mr C Wild

It was proposed by Councillor N Marshall and seconded by Councillor M Turner

Resolved: that the application be refused but only on the first reason for refusal in the recommendation by the officer and not the second as laid out in the officer's report.

4 23/06989/R9FUL - The Liberal Club, Queen Victoria Road, High Wycombe, HP11 1BG

Replacement of all windows, two replacement ground floor service doors and refurbishment of main entrance doors.

Members voted in favour of the motion to approve the application in line with the officer's recommendation.

It was proposed by Councillor D Johncock and seconded by Councillor S Guy.

Resolved: that the application be approved.

5 Date and Time of Next Meeting

Wednesday 13 December 2023 at 6.30pm.

6 Availability of Members Attending Site Visits (if required)

Resolved: that in the event it was necessary to arrange site visits on Tuesday 12 December 2023 in respect of the agenda for the meeting to be held on Wednesday 13 December 2023, the following members be invited to attend:

Councillors: D Johncock, N Marshall, C Oliver and P Turner



Report to West Area Planning Committee

Application Number:	23/05913/FUL
Proposal:	Demolition of existing stables and barn and erection of two dwellings with associated landscaping and access and parking
Site Location:	Outbuildings Rear of Greenacres Bovingdon Green Marlow Buckinghamshire
Applicant:	Marlow Land Company
Case Officer:	Victoria Burdett
Ward(s) affected:	Chiltern Villages
Parish-Town Council:	Great Marlow Parish Council
Date valid application received:	5th April 2023
Statutory determination date:	31st May 2023
Recommendation	Approval

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application seeks full planning permission for the demolition of existing stables and barn and erection of two dwellings with associated landscaping and access and parking.
- 1.2 The application site comprises land to the rear of Greenacres (a detached residential property located in Bovingdon Green). The application site itself is accessed via the existing driveway serving Greenacres, to the south of the site where a series of detached buildings are situated, including stables and a barn.
- 1.3 The application site is located within the Green Belt, but within an area of Previously Developed Land (PDL) by virtue of its lawful equestrian use, and existing coverage of buildings across the site.
- 1.4 The proposal is considered to be an appropriate form of development in the Green Belt which would not have an adverse effect upon the Chilterns AONB or character of the area, neighbouring and future amenities, highway safety, landscaping, ecology and flooding.
- 1.5 The application has been called in to the West Area Planning Committee by Councillor M. Turner due to its impact on the Green Belt and AONB, over development and poor access arrangements.

- 1.6 Taking into account the above, the proposal is considered to comply with the policies of the Development Plan and is therefore recommended for approval.

2.0 Description of Proposed Development

- 2.1 Full planning permission is sought for the demolition of existing buildings at land to the rear of Greenacres, and the erection of two detached dwellings with associated landscaping, access and parking.
- 2.2 The application site is located on the south-western side of Bovingdon Green and is accessed via an existing access and track between Greenacres and Stoke House.
- 2.3 It is important to note that the access track and parking layout received planning permission under REF: 08/06713/FUL (demolition of the existing bungalow and the erection of 2 detached dwellings, 1 x 4 bed and 1 x 5 bed, and associated parking). Condition 6 of this planning permission secured the parking arrangements in accordance with the approved site drawing P2811/12. The layout of the parking area is different to that originally approved. A Certificate of Lawfulness was submitted to regularise this breach of condition (22/05619/CLE) but was refused as it was not considered, on the balance of probability, that the breach of planning control had commenced for a period of over 10 years.
- 2.4 As such, as part of this application, permission is sought to change the parking layout from what has been implemented but differs slightly to what was approved under 08/06713/FUL. The changes have been reviewed by the Highway Authority who consider the proposed parking layout, access arrangements and manoeuvrability within the site to be acceptable.
- 2.5 The existing track from the parking area serving Greenacres and Stoke House leads down towards the buildings to the south, where the track comprises of a grass route. It is proposed for this area to be formally laid with gravel with post and rail fencing and associated landscaping to form a formal route to the proposed development. A 5-bar timber gate would separate the parking area for Greenacres, from the proposed access track to the proposed development.
- 2.6 The existing site comprises of a series of detached equestrian buildings which are spread across the whole site. There are 5 substantial buildings on the site. There is also evidence of two other buildings on the southern boundary of the site but due to their poor condition, they have not been taken into account in any calculations of existing footprint and volume.
- 2.7 Planning permission W/6605/83 was granted for the erection of twelve stables and a paddock on the application site. Condition 3 of this permission restricted the livery from being used for any commercial teaching or hiring out of the horses and was only granted on the basis of it being used for horse boarding. An appeal which was dismissed for the conversion of the barn (99/07086/FUL) refers to the use of the land as stables and livery. The lawful use of this part of the site, and the buildings is therefore equestrian.
- 2.8 Dwelling A is proposed to the top section of the application site which would be laid out within an L shaped footprint, comprising of a 3-bed chalet-style bungalow. The dwelling would incorporate an attached store and covered parking area. The dwelling would be finished in timber cladding, incorporating clay roof tiles and red brickwork.
- 2.9 Dwelling B is proposed to the bottom section of the application site, comprising of a 5-bed, two storey dwelling. A detached covered parking area would be located to the

north of the dwelling. The dwelling would be finished in timber cladding, incorporating slate roof tiles and red brickwork.

2.10 Exact material details have not been submitted with this application and would be required by planning condition.

2.11 The application is accompanied by:

- a) Planning, Design and Access Statement
- b) Sustainability and Energy Statement
- c) Bat Report
- d) BNG Metric
- e) Technical Note: Ecology
- f) Technical Note: Biodiversity Net Gain
- g) Flood Risk/Drainage Appraisal
- h) Tree Survey Report

2.12 Amended plans have been received throughout the duration of the planning application in order to ensure consistency across the site plan and landscaping plan. No changes have been made to the proposed development as such from the original submission.

3.0 Relevant Planning History

Reference	Development	Decision	Decision Date
88/07955/FUL	OVERNIGHT PARKING OF ONE COMMERCIAL VEHICLE	REF	5 January 1989
89/05591/OUT	ERECTION OF A DETACHED CHALET BUNGALOW WITH INTEGRAL GARAGE	REF	19 April 1989
89/05602/OUT	DEMOLITION OF EXISTING BUNGALOW AND GARAGE AND THE ERECTION OF 4 3-BED DWELLINGS WITH INTEGRAL GARAGE	REF	19 April 1989
90/07379/FUL	ERECTION OF FRONT BOUNDARY WALLS, GATE AND PIERS (RETROSPECTIVE)	PER	7 January 1991
99/07086/FUL	Conversion of existing barn to 1 detached dwelling, erection of new double garage and demolition of various outbuildings, clearance of site and re-landscaping.	REF	1 December 1999
01/06232/RCDN	Retention of development permitted under WR/444/57 without complying with	PER	18 July 2001

	condition 3 (agricultural occupancy) imposed on that development		
05/05003/FUL	Demolition of existing house barn and outbuilding and erection of two 5 bed detached houses with provision of amended residential curtilage	WDN	28 February 2005
05/06805/FUL	Demolition of existing house, barn and outbuildings and erection of two detached houses (1 x 3 bed and 1 x 5 bed) with provision of amended residential curtilage	REF	19 October 2005
08/05770/CLE	Continued use of land as residential garden ancillary to Greenacres Spinfield Lane Marlow (as shown edged blue on the Plan)	GRCLE	4 June 2008
08/05787/FUL	Demolition of existing bungalow and erection of 2 new detached dwellings (1 x 4 bed and 1 x 5 bed) and detached garage	WDN	20 May 2008
08/06713/FUL	Demolition of existing bungalow and erection of 2 new detached dwellings (1 x 4 bed and 1 x 5 bed) and associated parking	PER	9 September 2008
10/05037/MINA MD	Proposed non-material amendment to permission for demolition of existing bungalow and erection of 2 new detached dwellings (1 x 4 bed and 1 x 5 bed) and associated parking granted under planning ref 08/06713/FUL	PER	9 February 2010
10/06548/FUL	Variation of house type to Plot B only as permitted under planning reference 08/06713/FUL	WDN	8 September 2010
10/07339/FUL	Variation of house type to Plot B only as permitted under	PER	7 December 2010

	planning reference 08/06713/FUL		
10/07616/MINAMD	Proposed non-material amendment to permission for (Demolition of existing bungalow and erection of 2 new detached dwellings (1 x 4 bed and 1 x 5 bed) and associated parking) granted under 08/06713/FUL	PER	16 December 2010
PI11/00227/ADRC	Application for approval of details subject to condition 2 (Materials), 3 (surface materials) , 5 (screen and boundary walls) 6 (Means of access)10 (landscaping) 13 (tree protection) 14 (method statement) of planning approval 10/07339/FUL	PECOND	12 April 2011
PI11/00316/ADRC	Application for approval of details subject to condition 1 (Time limit), 2 (Materials), 3 (Surfacing Materials), 4 (Fencing), 5 (Access), 6 (Parking), 7 (Future proposals), 8 (Windows), 9 (Landscaping), 10 (Planting), 11 (Flank Windows), 12 (Tree Protection), and 13 (Tree Protection) of planning approval 08/06713/FUL	PECOND	24 March 2011
11/05527/MINAMD	Proposed non- material amendment to permission for variation to house type to Plot B only as permitted under reference 08/06713/FUL granted under planning ref 10/07339/FUL	PER	6 April 2011
22/05619/CLE	Certificate of lawfulness for existing provision of parking and access for residential dwelling in breach of condition 6 of planning application 08/06713/FUL	RECLE	23 September 2022

22/05620/CLE	Certificate of lawfulness for existing use of land as residential garden associated with existing residential property approved under planning application 08/06713/FUL	RECLE	9 September 2022
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4.0 Policy Considerations and Evaluation

Principle and Location of Development

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy), CP4 (Delivering Homes), DM33 (Managing Carbon Emissions, Transport and Energy Generation), DM42 (Managing Development in the Green Belt) DSA: DM1 (Presumption in favour of sustainable development).

- 4.1 The application site lies within the Green Belt but falls within the definition of previously developed land (PDL) due to the site containing buildings used for equestrian purposes. Comments have been received during the planning application on whether some of the buildings on site should be regarded as agricultural. As evident in the planning history, these buildings historically formed part of a livery and have been referred to as equestrian buildings associated with the livery. Planning condition 3 of W/6605/83 restricted the livery from being used for any commercial teaching or hiring out of the horses and was only granted on the basis of it being used for horse boarding. It is not therefore considered that any of the buildings are agricultural.
- 4.2 Moreover, it is not considered that Policy DM5 of the Delivery and Site Allocations Plan is relevant in this instance as the original development was not approved as an employment generating use. Overall, the lawful use of the land and buildings of the application site is equestrian.
- 4.3 Planning permission 08/06713/FUL was granted for 'Demolition of existing bungalow and erection of 2 new detached dwellings (1 x 4 bed and 1 x 5 bed) and associated parking'. Within the Officer's Report for this planning permission the demolition of the equestrian buildings subject of this application was mentioned, as was proposed as part of the application. However, the demolition of these buildings was not included in the application description, a condition was not imposed requiring their removal and the land where the buildings are situated were not included within the red edge, only the blue edge. As such, the LPA were not and are not able to enforce for these buildings to be removed as they were not formally included as part of the proposed development. The buildings are therefore lawful, and no enforcement action can be taken to have them removed from the site.
- 4.4 Moving on to the assessment of the acceptability of the redevelopment of this site, Local Plan Policy DM42 refers to 'Managing Development in the Green Belt' where it states that development in the Green Belt is inappropriate subject to a list of exceptions.
- 4.5 Part b) of Policy DM42 includes 'Development that the NPPF classifies are not inappropriate, but only when subject to the following clarifications'. The proposal is not for development for agriculture and forestry, is not an essential rural workers dwelling, is not a replacement or extension of a dwelling, is not located in a built-up village identified on the Policies Map for limited infilling and is not a scheme for affordable house. As such, the proposal falls to be assessed against the relevant parts of the NPPF.

- 4.6 Policy DM42 of the Local Plan makes it clear that inappropriate development will be refused unless there are very special circumstances. Very special circumstances will exist when the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 4.7 Section 13 of the NPPF refers to 'Protecting Green Belt Land'. Paragraph 149 states that 'a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are...' Point g) allows for the 'limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt than the existing development; or, not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 4.8 As identified above, the application site is not located in an area which is designated for limited infilling but does comprise of previously developed land. The proposal also does not comprise of an affordable housing scheme. As such, the redevelopment of the site is considered to be an appropriate form of development, subject to it not having a greater impact on the openness of the Green Belt than the existing development.
- 4.9 The application site already hosts a number of equestrian buildings and therefore is not without existing development. The site has an existing impact on openness but not so that it harms the purposes of including land within the Green Belt. It does not prejudice the purposes of the Green Belt designation.
- 4.10 It is proposed to redevelop the site by demolishing all 7 buildings on site, to replace them with 2 detached dwellings with carports. 2 of the 7 buildings are not included within the calculations due to their dilapidated condition. The existing volume of the 5 main buildings to be removed is 2481m³, with a footprint area of 548m². The proposed two dwellings would have a total volume of 1966m³ (reduction of 26.19%) and a footprint area of 405m² (reduction of 35%).
- 4.11 In terms of building heights, the existing structures are single storey, but the main barn (marked B on the plans) is higher. The heights of the existing buildings vary between 2.14m (being the smallest building) and 6m. The proposed dwellings have been designed so that the smaller of the two (Dwelling A) is positioned where the highest building is currently and would have a ridge height of 6.26m. Dwelling B would have a ridge height of 6.65m.
- 4.12 It is noted that the proposed dwellings would be higher than the existing which would result in some additional impact (as would be expected from new development) but this is not considered to have an adverse impact due to the overall reduction in building footprint and volume from the existing buildings.
- 4.13 The site is currently in a dilapidated state and subsequently is of an untidy appearance. A significant amount of landscaping enhancement is proposed through the inclusion of new planting. This will improve the landscape setting of the site. There will be an increase in the amount of hard surfacing on the site, due primarily to the need to upgrade the existing access drive to the site. However, it is considered that the proposed improved access drive, which will be of permeable gravel, will not have a detrimental impact on the openness of the Green Belt.

- 4.14 Although there will be some physical change to this area of Green Belt, due to the nature of the proposals and the existing built form on the site, this change is not considered harmful over and above what is already there and the potential activity levels which could accompany an equestrian use.
- 4.15 The proposed development is not considered to result in any encroachment and would be located within an area of previously developed land. The addition of two detached dwellings with carports is considered to be acceptable in this location given the sites circumstances.
- 4.16 As such, it is concluded that the proposed development, whilst introducing new dwellings onto the site, will not harm the openness and purposes of the Green Belt and is therefore regarded as appropriate development in accordance with Paragraph 149(g) of the NPPF, and therefore also complies with Part b) of Policy DM42. It is however considered appropriate to remove permitted development rights for the new dwellings to ensure the LPA have control over any future development. This will be imposed by a planning condition.
- 4.17 It is of note that planning permission has previously been refused on the application site for residential redevelopment in the 1980's and 1999 (W/84/6256, W/89/5591, W/89/5602 and 99/07086/FUL). However, since these decisions there has been a significant change in circumstances. The NPPF was published which introduced the principle that the partial or complete redevelopment of previously developed land in the Green Belt is not inappropriate development, provided the development would not have a greater impact on the openness of the Green Belt than the existing development. In addition, a new Development Plan has been adopted which reflects the requirements of the NPPF.
- 4.18 Planning law requires that applications for planning permission is to be determined in accordance with the Development Plan unless material considerations indicate otherwise. It is considered that the proposal accords with Policy DM42 of the Local Plan. As such, the principle of development is acceptable, subject to complying with all other relevant Development Plan Policies.

Affordable Housing and Housing Mix

Wycombe District Local Plan (August 2019): DM22 (Housing Mix), DM24 (Affordable Housing), DM41 (Optional Technical Standards for Building Regulations Approval)

- 4.19 The application falls below the Council's threshold for affordable housing.
- 4.20 Detached dwellings are present within the vicinity and therefore the proposed redevelopment would be consistent with the housing mix within the locality.

Transport matters and parking

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

- 4.21 The Highway Authority has been consulted as part of this application.
- 4.22 As mentioned above, the parking layout that currently exists on the access track for Greenacres and Stoke House does not reflect the layout approved as part of planning permission 08/06713/FUL. A breach of condition has therefore occurred, namely Condition 6 of planning permission 08/06713/FUL. A Certificate of Lawfulness was submitted to regularise this breach of condition (22/05619/CLE) but was refused as it

was not considered, on the balance of probability, that the breach of planning control had commenced for a period of over 10 years.

- 4.23 A revised parking layout has been proposed as part of the planning application to serve the occupiers of Greenacres, whilst ensuring the access track is accessible for the future occupiers of the proposed development to the south. A 5-bar gate would separate the two areas.
- 4.24 The Highway Authority has confirmed that in comparison with the existing lawful use of the site, the proposed development would result in a reduction in the trip generation from the site. The proposals must be assessed against the potential level of movements that could be associated with the site's existing lawful use. Current and/or historic levels of use and movements are not necessarily reflective of the lawful potential of the site.
- 4.25 The Highway Authority further notes that the front hardstanding area for Stoke House is sufficient to accommodate at least 3 car parking spaces, which was the parking requirement of both Stoke House and Greenacres as per the 2008 consent. Although this area was originally intended to be a drop-off/turning area, the Highway Authority raises no concerns over this area being used for just parking. With regard to Greenacres, the submitted plans demonstrate 2 parking spaces at the front, with a further 2 spaces at the rear. However, compared to the existing fenced arrangement at the rear, part of the current development includes these spaces set further back into the site curtilage, which would formalise these spaces and ensure a wider passage for traffic associated with the proposed development (as evidenced by the submitted swept path analysis). No objections have been raised regarding the parking arrangements for Greenacres. In addition, whilst the existing vehicular access will continue to be utilised, improvements will be made including widening the access to 4.8m and increasing the visibility to the south. A 4.8m access width will be maintained for approx. 5.7m from the carriageway into the site, which is sufficient to allow for safe simultaneous two-way vehicular movements.
- 4.26 Dwelling A will be provided with 2 parking spaces, whilst Dwelling B will be provided with 4 parking spaces. The Highway Authority is satisfied that the required level of parking for each dwelling has been provided within the site and meet the required dimensions with sufficient manoeuvrability space to allow vehicles to park, turn and exit the site in a forward gear.
- 4.27 The Highway Authority notes the turning area is provided to also allow for a 7.5t delivery van and fire appliance to manoeuvre within the site. Having assessed the swept path analysis, the Highways Authority is satisfied there is sufficient space for these vehicles to enter, turn and exit the site in a forward gear. With regard to refuse collection, Manual for Streets guidance states that residents should not be required to carry waste more than 30m to the storage point, and waste collection vehicles should be able to get to within 25m of the storage point. The proposed site plan does not accord with these requirements, and residents will therefore have to carry their waste bins in excess of this distance to enable roadside collection from Spinfield Lane, which is the same arrangement for other properties within the vicinity of the site. Whilst this is not ideal, as the access road will not be adopted by the Highway Authority, they are not in a position to justify this as a reason for refusal of the application.
- 4.28 Mindful of the above comments, the Highway Authority raise no objections subject to conditions.

Raising the quality of place making and design

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM30 (Chilterns AONB), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality)

DSA: DM11 (Green networks and infrastructure), DM16 (Open space in new development)

- 4.29 As mentioned above, the proposal comprises of the redevelopment of the existing site to allow for the erection of two detached dwellings, with carports and landscaping.
- 4.30 The existing site contains a series of buildings dating from the 1980's. The existing site has an untidy appearance, but still retains its rural character. As the application site is set back from the main residential ribbon, it is imperative that any proposed development reflects the rural character of the area and causes no harm to the surrounding countryside and Chilterns AONB.
- 4.31 Two dwellings are proposed to replace 7 existing buildings. As such, the overall spread of development across the site would be reduced with new landscaping proposed in between, and around the new dwellings which helps to break up the appearance of the new built form.
- 4.32 Informal advice has been sought from the Council's Landscape and Urban Design Officer where it was raised that the key views of the site would be from the public footpath which is situated to the south-west of the application site. Views of the existing development are present from the public footpath and therefore any future development would also be visible. It was advised that the design of the proposed dwellings is key in retaining the rural appearance of the site and surroundings to ensure the landscape character is not disrupted.
- 4.33 The proposed dwellings have been designed to incorporate rural type features which pick up the characteristics of farm buildings. Both dwellings have been designed to be slightly different to avoid a uniform appearance, as opposed to estate style houses which would not be present in this type of area. The design approach adopted is considered to be suitable to the application site.
- 4.34 Various materials are also shown to be used, including red brickwork, timber cladding, slate roof tiles and clay roof tiles. A full material schedule has not been submitted with the application, and therefore details will be required as part of a planning condition. Within the immediate area a mixture of indicative materials proposed are evident, and there are no objections to these materials in principle, subject to details.
- 4.35 Mixed native hedgerow is proposed along the western boundary and Greenacres boundary along with tree planting, native shrubs and wildflowers. The proposed landscaping is considered to contribute to the character of the area, whilst also providing screening from key viewpoints.
- 4.36 Given the proposed design of the dwellings and proposed landscaping, the development would conserve the natural beauty of the Chilterns AONB and respect the rural nature of the character of the area.

Amenity of existing and future residents

Wycombe District Local Plan (August 2019): DM35 (Placemaking and Design Quality), DM40 (Internal space standards)

Housing Intensification SPD

- 4.37 The proposed dwellings would be of an acceptable size which comply with Policy DM40 in regard to the Technical housing standards – nationally described space standards.
- 4.38 Furthermore, the level of amenity space proposed for each dwelling would be sufficient.
- 4.39 Given the separation from neighbouring properties to the north and difference in land levels it is not considered that any loss of privacy, loss of light or overbearing impacts would occur.
- 4.40 In terms of future occupiers, the proposed dwellings would feature a rear to front facing relationship. This could potentially result in mutual overlooking. The two dwellings would be separated by the garden area of Dwelling A and the parking area and carport of Dwelling B, a total distance of 17.7m at the closest point. However, the proposed dormer windows accommodating the bedrooms of Dwelling A would be set back even further at approx. 25m away. A small first floor window is proposed at the rear elevation of Dwelling A, but as this is a secondary window, it is considered appropriate to condition it to be obscurely glazed to prevent any overlooking/loss of privacy.
- 4.41 In addition, hedging and planting is proposed throughout the development and along the rear boundary of Dwelling A which would aid in a source of screening.
- 4.42 Overall, the proposed development is not considered to adversely affect the amenities of neighbouring properties or future occupiers.

Environmental issues

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), DM20 (Matters to be determined in accordance with the NPPF)

- 4.43 The proposed development requires the installation of two electrical charging points (x1 per dwelling) which will be secured by planning condition.

Flooding and drainage

Wycombe District Local Plan (August 2019): DM39 (Managing Flood Risk and Sustainable Drainage Systems)

- 4.44 The application site is located Flood Zone 1.
- 4.45 A Flood Risk/Drainage Appraisal has been submitted with the application. The site is not considered to be at risk from surface water sources. The recommendations included within the submitted Flood Risk/Drainage Appraisal will be conditioned accordingly.

Green networks and infrastructure

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), CP9 (Sense of place), DM34 (Delivering Green Infrastructure and Biodiversity in Development)

- 4.46 The Council's Tree Officer has been consulted as part of the application.
- 4.47 The following trees/group of trees are proposed for removal:
- Tree 3 is a mature ash tree moderately affected by ash dieback. It has a short likely retention span and shall be removed for reasons of sound management.
 - Tree 4 is a dead, decayed and highly fragile ash tree in imminent danger of collapsing. It shall be removed for reasons of sound management.
 - Tree 10 is a mature ash tree heavily affected by ash dieback. It has a short likely retention span and shall be removed for reasons of sound management.

- Tree 13 is a highly distorted beech of low quality and value. This tree shall be removed for sound management to favour the development of Trees 12 and 14 either side of it.
 - Tree 16 is a multi-stemmed part collapsing mature goat willow. The tree is of low quality and value and shall be removed to facilitate development.
 - G4 comprises predominantly dead and dying young ash trees (with decline caused by ash dieback) growing through bramble and scrub. The group shall be removed to facilitate development.
- 4.48 A Tree Protection Plan has been submitted which illustrates the use of Tree Protection Fencing (TPF) around the perimeter of all retained trees, with an area of temporary ground protection.
- 4.49 The Council's Tree Officer has reviewed the submitted tree documents and raises no objections subject to a condition requiring the development to be carried out in accordance with the approved details. This will be conditioned accordingly.

Ecology

Wycombe District Local Plan (August 2019): DM34 (Delivering Green Infrastructure and Biodiversity in Development)

DSA: DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance), DM14 (Biodiversity in development)

- 4.50 The Council's Ecologist and Newt Officer have been consulted as part of this application.
- 4.51 Documents submitted to inform the application include a Bat Report (Ecology by Design, August 2022), Technical Note: Ecology (AAE, February 2023), Technical Note: Biodiversity Net Gain (AAE, February 2023) with completed Biodiversity Metric 3.1 and Technical Note: Badgers (AAE, September 2023), aerial and street photography and site and species records held by the Buckinghamshire & Milton Keynes Environmental Records Centre (BMERC) have been reviewed.
- 4.52 A site walkover was undertaken on 24th January 2023 and several habitats were identified on site including buildings and hardstanding, grassland, scrub and scattered trees. According to the Technical Note: Ecology (AAE, February 2023), the majority of trees and some areas of shrub are to be retained, with the scrub to be enhanced.
- 4.53 A Preliminary Roost Assessment (PRA) was undertaken in September 2021 of the application site. Building 1 (B1) was concluded to have high potential for roosting bats due to a plethora of potential roosting features (PRF's), however it should be classified as a confirmed roost due to the presence of bat droppings. Buildings 2 (B2) and 3 (B3) were concluded to have negligible potential for roosting bats as they were in a moderate/poor state of repair and therefore did not provide suitable conditions for bats. The remaining buildings in the south of the site were considered to have negligible potential for roosting bats.
- 4.54 Birds' nests were identified within B1, B2 and B3, though no species were identified during the survey. The applicant should be reminded of legislation that protects nesting birds. An informative will be attached to this effect.
- 4.55 B1, B2, B3 and T1 were subject three bat activity surveys on 27th June, 20th July and 11th August 2022. No bats were recorded emerging/re-entering the buildings or T1 during any of the activity surveys. It was concluded that roosting bats were likely absent from B2, B3 and T1, whilst B1 was confirmed to support serotine and brown long-eared bat

day and feeding roosts. Therefore, a European Protected Species Licence will be required for the proposed development and secured by an appropriately worded condition.

- 4.56 The mitigation and compensation measures within the Bat Reports, Pages 16-18 (Ecology by Design, August 2022) are considered acceptable. The recommended 'enhancement boxes' to compensate for the permanent loss of the roosts should be of a specification that is integrated into the fabric of the proposed new dwellings, such as the recommended Habitat Bat Box. These will be secured via a suitably worded condition.
- 4.57 A survey was undertaken on 7th August 2023 and two badger setts were identified on site and another sett was located approx. 30m away from the site. The two setts on site were monitored using camera traps for 22 days. No badgers were recorded emerging or entering either of the setts during this monitoring period. It was concluded that both setts were disused outlier setts. Mitigation measures for badgers were provided within the Technical Note: Badgers, Page 4 (AAE, September 2023), which are considered appropriate and should be secured via a suitably worded condition.
- 4.58 The Technical Note: Biodiversity Net Gain (AAE, February 2023) and associated biodiversity metric have been reviewed. It indicates that the proposed development will achieve a net gain of 0.03 habitat units and 0.46 hedgerow units, which equates to a 0.49% net gain in habitat units and a 100% net gain in hedgerow units. However, there are issues with the habitat classification. The proposals include enhancement of a large area of mixed scrub and the creation of four small areas of mixed scrub and an area of wildflower meadow. Although these proposals are welcomed, these habitats to be created/enhanced fall within the private gardens of the proposed dwellings. It is not possible for these areas to be classified as anything but vegetated garden within the metric as they cannot be legally secured. By amending the metric to add the proposed other neutral grassland and mixed scrub areas to that of the vegetated garden, it indicated that this would result in a small net loss of biodiversity.
- 4.59 The inclusion of ecological features such as nest boxes, bat boxes, bee bricks, hedgehog houses and hibernacula/log piles within the development, would not affect the measurable net loss of biodiversity, however they would increase opportunities for wildlife on site. The combination of the proposed habitat enhancement/creation and inclusion of ecological features would allow the proposed development to align with Policy DM34.
- 4.60 It is recommended that an Ecological Design Strategy (EDS) be secured via planning condition. The EDS should include detailed information of habitat enhancement/creation on site, including planting schemes and how these habitats will be managed long-term. The location, specification and any maintenance requirements of ecological features will also be included. How the applicant proposes to share this information with future occupants of the dwellings should be outlined within the EDS so that they are aware of how to appropriately manage the valuable habitats to be enhanced/created. A user-friendly document, such as a leaflet, could be a useful resource for this.
- 4.61 The Council's Newt Officer has raised no objections, subject to an informative.

Building sustainability

Wycombe District Local Plan (August 2019): DM41 (Optional Technical Standards for Building Regulations Approval)

4.62 It is considered necessary to condition water efficiency in accordance with Policy DM41.

Infrastructure and Developer Contributions

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth)

DSA: DM19 (Infrastructure and delivery)

4.63 The development is a type of development where CIL would be chargeable.

5.0 Weighing and balancing of issues / Overall Assessment

5.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.

5.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
- b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
- c. Any other material considerations

5.3 As set out above it is considered that the proposed development would accord with the relevant Development Plan Policies.

5.4 In line with the Public Sector Equality Duty the LPA must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in Section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief sex, and sexual orientation). The application provides for the demolition of existing stables and barn and erection of two dwellings with associated landscaping and access and parking. In this instance, it is not considered that this proposal would disadvantage any sector or society to a harmful extent.

5.5 The Human Rights Act 1998 Article 1 the protection of property and the peaceful enjoyment of possessions and Article 8 the right to respect for private and family life, have been taken into account in considering any impact on the proposed development on residential amenity and the measures to avoid and mitigate impacts. It is not considered that the development would infringe these rights.

6.0 Working with the applicant / agent

6.1 In accordance with paragraph 38 of the NPPF the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

6.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applicant/agents of any issues that may arise in the processing of their application.

6.3 In this instance:

- The applicant was provided with pre-application advice,
- the applicant/agent was updated of any issues after the initial site visit,
- The applicant was provided the opportunity to submit amendments to the scheme/address issues.
- The application was determined without delay.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

7.0 Recommendation

7.1 It is recommended that this application be **GRANTED**, subject to the following conditions and reasons:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).

2 The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers DS02022201.03, DS02022201.04, 22-56-PL-101 A, 2203 03 B, 2203 04, 2203 05 and 2203 06; unless the Local Planning Authority otherwise first agrees in writing.

Reason: In the interest of proper planning and to ensure a satisfactory development of the site.

3 Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of the materials and finishes for the development shall be submitted to and approved in writing by the Local Planning Authority before any work to the external finish of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To secure a satisfactory external appearance.

4 Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of all surfacing materials shall be submitted to and approved in writing by the Local Planning Authority before any work to the finished surfaces of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To secure a satisfactory appearance.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order), no development falling within Classes A-E (inclusive) of Part 1 of Schedule 2 shall be carried out without the prior, express planning permission of the Local Planning Authority.

Reason: In order that the Local Planning Authority can properly consider the effect of any future proposals on the character and amenity of the locality.

- 6 No other part of the development shall be occupied until the existing means of access has been altered in accordance with the approved drawing and constructed in accordance with the Buckinghamshire Council guide note "Private Vehicular Access Within the Public Highway".

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

- 7 No other part of the development shall be occupied until the visibility splays shown on the approved drawings have been provided on both sides of the access and the area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

- 8 The scheme for parking, garaging and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

- 9 No windows, doors or openings of any kind shall be inserted in the first floor rear elevations of Dwelling A hereby permitted.

Reason: To safeguard the privacy of occupiers of the adjoining properties.

- 10 Notwithstanding any other details shown on the plans hereby approved, the first floor windows in the south rear elevation of Dwelling A, up to a minimum height of 1.7 metres above finished floor level, be fixed shut (without any opening mechanism) and glazed in obscure glass. The window(s) shall thereafter be retained as such.

Reason: In the interests of the amenity of neighbouring properties.

- 11 Prior to the occupation of the development hereby permitted, two electric vehicle charging points (one per dwelling) with a minimum rating of 32amp must be installed in a location suitable to its use.

Reason: To comply with the air quality SPD and, to reduce the carbon emissions and the impact on the health of Nitrogen Dioxide emissions from the development.

- 12 The development hereby permitted shall not be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the development does not increase the risk of flooding elsewhere.

13 The development shall be implemented in accordance with the approved tree report and tree protection plan (TPP) submitted as part of the approved planning application. Arboricultural supervision is to be undertaken by retained arboricultural specialist in order to ensure ground protection measures detailed in the report are undertaken. A schedule of arboricultural monitoring and supervision (which includes visits by the arboricultural specialist during installation of protective measures and structures within the RPAs of retained trees) with associated feedback in the form of photographic evidence showing compliance with the tree report and TPP shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of development.

Reason: To maintain the amenity of the area and ensure retained trees, shrubs and hedges are not damaged during all phases of development to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 by ensuring the development accords with method statement and that the correct materials and techniques are employed which conform to current British Standard 5837 specification guidance.

14 Unless otherwise first agreed in writing by the Local Planning Authority there shall be no building up or increase of the existing ground levels on the site.

Reason: To ensure that the proposal is constructed at an acceptable level with regards to the surrounding area.

15 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees, plants or areas of turfing or seeding which, within a period of 3 years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping.

16 The development shall be implemented in accordance with the following measures:

- mitigation and compensation measures for roosting bats outlined within the Bat Report, Pages 16-18 (Ecology by Design, August 2022), including the requirement for a European Protected Species Licence; and
- mitigation measures for badgers outlined within the Technical Note: Badgers, Page 4 (AAE, September 2023).

A written statement from the ecologist acting for the developer, testifying to the plan having been implemented correctly, shall be submitted to and approved by the LPA prior to the occupation of development. The approved measures shall thereafter be retained and maintained for the lifetime of the development.

Reason: To ensure that measures are undertaken in accordance with submitted plans for the benefit of important wildlife.

- 17 No development shall take place until an ecological design strategy (EDS) addressing habitat enhancement and creation and ecological enhancements within the development as outlined within the Technical Note: Biodiversity Net Gain (AAE, February 2023) has been submitted to and approved in writing by the local planning authority. The EDS shall include the following.
- a) Purpose and conservation objectives for the proposed works.
 - b) Review of site potential and constraints.
 - c) Detailed design(s) and/or working method(s) to achieve stated objectives.
 - d) Extent and location/area of proposed works on appropriate scale maps and plans.
 - e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
 - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
 - g) Persons responsible for implementing the works.
 - h) Details of initial aftercare and long-term maintenance.
 - i) Details for monitoring and remedial measures.
 - j) Details for disposal of any wastes arising from works.
- The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.
Reason: To ensure that the development safeguards protected wildlife and achieves a net gain in biodiversity.

- 18 The development, hereby permitted, shall be designed and constructed to meet a water efficiency standard of 110 litres per head per day.
Reason: In the interests of water efficiency as required by Policy DM41 (Optional Technical Standards for Building Regulations Approval) of the Local Plan.

- 19 Details of cycle and bin storage facilities shall be submitted to and approved by the Local Planning Authority prior to the occupation of development. Thereafter the facilities shall be permanently retained, unless otherwise first agreed in writing by the Local Planning Authority.
Reason: To ensure the provision of cycle parking and waste storage and in the interests of the amenities of the occupiers and adjacent residents.

INFORMATIVE(S)

- 1 In accordance with paragraph 38 of the NPPF the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applicant/agents of any issues that may arise in the processing of their application.

In this instance:

- The applicant was provided with pre-application advice,
- the applicant/agent was updated of any issues after the initial site visit,

- The applicant was provided the opportunity to submit amendments to the scheme/address issues.
 - The application was determined without delay.
 - The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
- 2 The applicant is advised that the off-site works will need to be constructed under a Section 184/278 of the Highways Act legal agreement. This Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. Please visit the Councils website for further guidance or contact Highways Development Management at the following address for information:

Highways Development Management (Delivery)
Buckinghamshire Council
6th Floor, Walton Street Offices
Walton Street,
Aylesbury
Buckinghamshire
HP20 1UY
highwaysdm@buckinghamshire.gov.uk

It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

No vehicles associated with the building operations on the development shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.

- 3 The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Buildings, trees and other vegetation are likely to contain nesting birds between 1st March and 31st August inclusive.
- 4 The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to: deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstructing access to a resting or sheltering place. Planning consent for a development does not provide a defence against prosecution under these acts. Ponds, other water bodies and vegetation, such as grassland, scrub and woodland, and also brownfield sites, may support great crested newts. Where proposed activities might result in one or more of the above offences, it is possible to apply for a derogation licence from Natural England or opt into Buckinghamshire Council's District Licence. If a great crested newt is encountered during works, all works must cease until advice has been sought from Natural England, as failure to do so could result in prosecutable offences being committed.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Cllr Mark Turner:

“If the planning department are minded to approve this application, I would like to call it into the West Planning Committee. Locals and neighbours were supportive of the original application 08/06713/FUL because the houses were infill and the applicant had submitted plans that included the removal of these derelict barns. The application site is in AONB and Green Belt and I am concerned for local residents and neighbours that this development is inappropriate, an overdevelopment of the site, and with poor access”.

Parish/Town Council Comments

Great Marlow Parish Council

“The Parish Council strongly objects to this application proposed in the AONB and Green Belt. There are various neighbours who would be adversely affected by the proposed development:

1. Various earlier applications to convert the outbuildings (barn and stables etc) to a dwelling (1999-2000) and demolish the outbuildings and erect 2 detached houses (2005-2006) were refused and appeals dismissed. In 2008 an application for permission to demolish the old bungalow and erect 2 detached houses (which became Greenacres and Stoke House) was granted, but the planning documents evidence that it was explicitly on the basis that the outbuildings would be demolished. However they were not demolished as they should have been.
2. It is argued that because the outbuildings (10 livery stables) would generate more daily traffic movements than the proposed two new dwellings, planning permission would result in a reduction of potential traffic activity! This conveniently ignores the fact that the outbuildings ought to have been demolished, and that in any event the usage of the outbuildings as a livery had been abandoned many years ago, so that in the real world the development would hugely increase traffic activity.
3. The land is Green Belt and in an AONB, so that under Para 147/149 of the NPPF and Policy DM42 of the Wycombe Local Plan, inappropriate development should not be approved except in very special circumstances. Any erection of a new building is inappropriate subject to certain prescribed exceptions. KPL argue that Para 149(g) does provide an exception vis that the application is for the redevelopment of “brownfield” land and that the redevelopment would not have a greater impact on the openness of the Green Belt than the existing development. Again, the argument is flawed because the applicant is relying upon the existence of the outbuildings to justify the redevelopment when he ought to have demolished the outbuildings in the first place. In any event 2 new dwelling houses would manifestly have a greater adverse impact on the openness of the Green Belt than some former agricultural outbuildings.

Consultation Responses

Highways – No objection, subject to conditions and informatives.

Ecology and Newt Officer – No objection, subject to conditions and informatives.

Environmental Health – No objection, subject to condition.

Tree Officer – No objection, subject to condition.

Representations

One comment has been received in response to the received objection letters from Aardvark Planning Law on behalf of the Applicant:

- The stables and barn were sited in the blue line and not in the red line of the location plan under 08/06713/FUL
- No condition was imposed requiring the removal of the stables or barns on the previous planning permission
- There is no binding requirement for the barns or stables to be removed in connection with the previous planning permission
- Because the run of 3 stables and the large barn containing 9 stables have planning permission they cannot be abandoned

24 comments have been received objecting to the proposal:

- New buildings in the Green Belt are deemed to be inappropriate except in very special circumstances.
- Do not see how the stables and barn can be classified as brownfield land.
- Proposal will harm the openness of the Green Belt.
- Dwellings would be visible from the public footpath to the west of the site.
- Impact on the Chilterns AONB.
- Loss of valuable green space.
- Further urbanisation to the area.
- Significant impact on the local ecosystem including wildlife and plant species.
- Impact on traffic.
- Site first received planning permission on the understanding that the barns and stables were removed, which wasn't implemented.
- Buildings will exceed the boundary line of all other houses along the narrow lane and will encroach into the Green Belt.
- Proposed entrance into the site is very narrow and would become a dangerous entry point from a steep hill.
- Buildings should remain for agricultural use.
- Not enough space for refuse collection.
- Loss of amenity.
- Light pollution.
- Buildings not used as stables.

APPENDIX B: Site Location Plan

23/05913/FUL
Scale 1/1250



Planning Committee
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Ordnance Survey 100062456



Report to West Area Planning Committee

Application Number:	23/06695/R9FUL
Proposal:	Siting of 2 x modular buildings comprising 4 x temporary classrooms
Site Location:	Princes Risborough School Merton Road Princes Risborough Buckinghamshire HP27 0DR
Applicant:	Buckinghamshire Council
Case Officer:	Matthew McKane
Ward(s) affected:	The Risboroughs
Parish-Town Council:	Princes Risborough Town Council
Date valid application received:	18th July 2023
Extension of time:	15/12/2023
Recommendation	Condition Permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application is before committee for determination as the application site relates to a Buckinghamshire Council application.
- 1.2 The application site is a mixed secondary school for 11-18 year olds in Princes Risborough. This planning application is connected to, and supports, planning approval reference number 22/08395/FUL which is for a new four classroom teaching block which was granted planning permission in June 2023 scheduled to commence construction in summer of this year (2023) which arose as an urgent need to provide additional accommodation at the school and to fulfil this statutory duty. This application for the siting of 2 x modular buildings comprising 4 x temporary classrooms have therefore been applied for and is noted as being retrospective to accommodate pupils for the start of Autumn term September 2023 whilst the permanent classrooms are under construction.
- 1.3 The proposed development is considered acceptable in terms of their design, visual impact, impact on amenity, highway safety, ecology and surface water drainage matters. A suitably worded condition could be imposed for the removal of the proposed classrooms subject of this application as they are proposed to be temporary.
- 1.4 Recommendation – approval.

2.0 Description of Proposed Development

- 2.1 Princes Risborough Secondary school is located on the south east side of the town, in an elevated position, adjacent to the Upper Icknield Way, to the south east. The majority of buildings on the site date from the mid-20th century.
- 2.2 This planning application is connected to, and supports, planning approval reference number 22/08395/FUL which is for a new four classroom teaching block granted planning permission in June 2023 which was scheduled to commence construction in summer of this year (2023). The urgent need arose to provide additional accommodation at the school and to fulfil this statutory duty.
- 2.3 This application for the siting of 2 x modular buildings comprising 4 x temporary classrooms have therefore been applied for and is noted as being retrospective to accommodate pupils for the start of Autumn term September 2023 whilst the permanent classrooms are under construction.
- 2.4 The current proposals are to address capacity issues arising from what is understood to be an additional form of entry admitted in the 2021 – 2022 academic year, as well as an enlarging sixth form as a result of more students electing to continue at PRS for their sixth form education.
- 2.5 The proposed is for 2 x modular buildings comprising 4 x temporary classrooms, each approximately 16m (wide) x 10m (deep) x 3.3m (height), set 4.7m apart from one another. They would be constructed of walls: composite wall panels with plastisol coated steel external face, windows: Upvc frames. The structures would be located within the South West grounds of the school, just North-West of the existing M.U.G.A North-West on playing field grass, between the existing MUGA and a raised bank, beyond which is the main school car park. The school's main grass pitch provision is in a field on the south-east side of the Upper Icknield Way.
- 2.6 The application is accompanied with the following:
 - a) Application form.
 - b) Covering letter
 - c) Location plan
 - d) Existing site plan
 - e) Proposed site plan
 - f) Proposed plan and elevation

3.0 Relevant Planning History

- 3.1 The recent planning history is set out below. Historically the majority of applications were dealt with by Buckinghamshire County Council, prior to the formation of the unitary Buckinghamshire Council.

Reference	Development	Decision	Decision Date
17/05054/CONCC	Consultation from Buckinghamshire County Council (ref: CC/01/17) for creation of new 2 storey entrance block with classrooms and kitchen	CMTS	6 February 2017

	extension, central atrium and lift in phase 1; creation of 3 storey link block with classrooms, new drop-off area, additional car park spaces and new cycling bays and demolition of some parts of the school buildings in phase 2 and associated landscaping to both phases		
18/07389/FUL	Erection of two storey detached buildings for use by model railway club	PER	3 January 2019
PI19/00122/ADRC	Application for approval of details reserved by condition 5 (construction traffic management plan) pursuant to planning approval 18/07389/FUL	PECOND	12 March 2019
22/08395/FUL	Construction of new four classroom teaching block, dining hall canopy and MUGA	PER	13 June 2023
23/06935/ADRC	Application for approval of details subject to conditions 9 (planting and biodiversity enhancements), 10 (water efficiency) and 11 (ctmp) of planning ref: 22/08395/FUL	PECOND	15 September 2023

4.0 Policy Considerations and Evaluation

Principle and Location of Development

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy), DM29 (Community Facilities), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

DSA: DM1 (Presumption in favour of sustainable development), DM12 (Green Space)

4.1 The site is located within the Princes Risborough Settlement Boundary and therefore development in relation to the school is acceptable in principle. Part of the school site is designated as Green Space.

4.2 The proposed development is considered acceptable in principle.

Transport matters and parking

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

- 4.3 The school site is served by two vehicular access points. The main, original, entrance is via Merton Road, on the north west side of the road. This serves the main (extended) car park, for staff and visitors. More recently a second access was created from New Road, to the east of the site. This was originally conceived mainly as an access for school buses, to take bus traffic away from the residential streets of Merton Road and Clifford Road. It now also serves the more recent sports centre, with visitors outside of school hours using the bus parking area for car parking.
- 4.4 The additional classrooms would have the potential to increase the overall capacity of the school, which currently has 6 forms of entry (6FE). The school was asked to take a “bulge” class in 2021, and that cohort has a 7FE. The school therefore requires additional capacity to accommodate the existing number of students it already has. In recent years more students are also continuing their education at the school post 16, for sixth form, and the additional classrooms would provide capacity for the enlarged sixth form.
- 4.5 The extant 2017 permission for the redevelopment of the school would increase the capacity of the school in two phases, first to 7FE then to 8FE. The pre-start conditions for that consent have been discharge and include proposals for managing school traffic. This indicated that the majority of community lettings would use the New Road entrance in the evenings, at weekends, with the Merton Road access being required for larger lettings. It also indicated the use of the New Road entrance for parents to drop off car borne students. It is understood that the school has already been operating this system, with cars dropping off on the access road and turning in the bus parking area. The car park extension, to provide additional staff car parking, has already been constructed.
- 4.6 This application proposes siting of 2(no) modular buildings comprising of 4(no) temporary classrooms whilst waiting for the construction of 4(no) classrooms permitted under application reference 22/08395/FUL. The Highways Officer is satisfied that the proposals would not increase the capacity of the school beyond what has already been permitted, and that the proposals will not have an adverse impact on the operation of the highway network, no highways conditions are recommended as part of this application. The siting of the temporary classrooms would not result in any loss of parking provision for the school.

Raising the quality of place making and design

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality)

- 4.7 The proposed temporary classrooms are single storey and located within the South West grounds of the school, just North-West of the existing M.U.G.A on playing field grass, between the existing MUGA and a raised bank, beyond which is the main school car park. The school’s main grass pitch provision is in a field South-East. The temporary classrooms are in a location where it would not be visible in wider views.
- 4.8 The majority of buildings on the site are flat roofed, and the adjacent classroom block is constructed of red bricks and has white timber fenestration. The modular buildings are considered to be generally in keeping with the design of the existing buildings on the site and as they will only be temporary so no significant impact on the setting of the adjoining Chilterns AONB would occur as a result.

4.9 Overall, the proposal is considered acceptable in terms of design and impact on character and appearance.

Amenity of existing and future residents

Wycombe District Local Plan (August 2019): DM35 (Placemaking and Design Quality)

4.10 The proposed temporary classroom blocks are single storey and are located approximately 48m from the rear boundary lines of properties 20-24 Merton Road and about 70m from the rear elevation of the nearest property no. 20. In-between the classroom blocks is an embankment/line of trees and car park. Given the distance and existing screening the building would not have any adverse impact on light or privacy to the nearest residential properties.

4.11 Although the classroom use proposed is likely to generate some noise, this is in the context of the existing use of the school site and is unlikely to result in significant additional noise and disturbance to nearby residents. It is noted that a comment has been received requesting that the classrooms are not used for music/amplified speech, however this is not considered necessary or reasonable to impose given there is sufficient separation distance afforded between the proposed classrooms and nearest residential sites and property.

4.12 There is no objection to the proposed development from the Environmental Protection team.

4.13 The proposal is not considered to result in any significant residential amenity impacts that would warrant the refusal of planning permission or require planning conditions.

Environmental issues

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), DM20 (Matters to be determined in accordance with the NPPF)

4.14 As the proposal does not increase the school's capacity it would not have any significant impact on air quality, and waste management arrangements would be similar to the existing. There are no known contamination issues on the site.

Flooding and drainage

Wycombe District Local Plan (August 2019): DM39 (Managing Flood Risk and Sustainable Drainage Systems)

4.15 The cabins are elevated above the existing grasses area on pads. The downpipes from the rainwater gutters discharge onto the grassed area under the classroom blocks. Given the scale and nature of the development, the LLFA raise no objection to the proposal.

Landscape Issues

Wycombe District Local Plan (August 2019): DM34 (Delivering Green Infrastructure and Biodiversity in Development)

DSA: DM11 (Green networks and infrastructure), DM12 (Green space)

4.16 Details were provided to show that additional tree planting could be carried out within the school site to maximise canopy cover as required by Policy DM34 as part of application 22/08395/FUL. No further information is therefore required as part of this application. Issues relating to the development within the area of Green Space have been addressed above.

Landscape and visual Impact

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM30 (Chilterns Area of Outstanding Natural Beauty) DM32 (Landscape character and Settlement Patterns)

4.17 The Upper Icknield Way, on the south-east boundary of the site, marks the boundary with the Chilterns AONB, to the south-east of the school site. The proposed classroom would largely be screened from the AONB by existing M.U.G.A and hedging. They do not, therefore, appear intrusive in views from the AONB, given that they would be viewed in the context of the overall school campus. As such these elements do not give rise to harm to the setting of the AONB.

Archaeology

Wycombe District Local Plan (August 2019): CP9 (Sense of place), CP11 (Historic Environment), DM31 (Development Affecting the Historic Environment)

4.18 The site is located in an archaeological notification area. The Council's archaeologist advises that investigations have previously been carried out in the areas where development is proposed and have not revealed anything of particular interest. In addition, the form of the proposed classrooms suggests no ground excavation will be required. In this instance there is therefore no detrimental impact on designated heritage assets and no conditions are necessary to secure further investigation.

Green networks and infrastructure

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), CP9 (Sense of place), DM34 (Delivering Green Infrastructure and Biodiversity in Development)

DSA: DM11 (Green networks and infrastructure),

4.19 The proposal retains existing planting and boundary treatments. Details were provided to show that additional tree planting could be carried out within the school site to maximise canopy cover as required by Policy DM34 as part of application 22/08395/FUL which would enhance biodiversity also. No further information is therefore required as part of this application in this regard.

Ecology

Wycombe District Local Plan (August 2019): DM34 (Delivering Green Infrastructure and Biodiversity in Development)

DSA: DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance), DM14 (Biodiversity in development)

4.20 It is considered that there is not a reasonable likelihood of protected species being present and/or affected by the proposed development for 2 temporary classrooms. Therefore, no supporting ecological information is required.

Community facilities

Wycombe District Local Plan (August 2019): DM29 (Community Facilities)

4.21 As a school the site falls within the definition of a community facility. The proposals retain that community function and would facilitate the continuation of the community use.

Building sustainability

Wycombe District Local Plan (August 2019): CP12 (Climate Change), DM33 (Managing Carbon Emissions, Transport and Energy Generation), DM41 (Optional Technical Standards for Building Regulations Approval)

4.22 The buildings are already on site but are temporary and modular. Given the temporary nature of the development it would not be reasonable to seek to alter the design or secure environmental improvements in terms of water usage or climate change.

Infrastructure and Developer Contributions

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth)

DSA: DM19 (Infrastructure and delivery)

4.23 The development is not a type of development where CIL would be chargeable.

4.24 It is considered that there would not be other types of infrastructure that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure.

4.25 The applicant has confirmed that he is willing to enter into a legal agreement.

5.0 Weighing and balancing of issues / Overall Assessment

5.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.

5.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
- b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
- c. Any other material considerations

5.3 As set out above it is considered that the proposed development would not accord with the council's green space policy. However, the material considerations of an urgent need to provide accommodation and the temporary nature of the classrooms are considered to outweigh the harm.

6.0 Working with the applicant / agent

6.1 In accordance with paragraph 38 of the NPPF (2021) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

6.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applicant/agents of any issues that may arise in the processing of their application.

6.3 In this instance:

- the applicant/agent was updated of any issues after the initial site visit,
- The applicant was provided the opportunity to address issues.
- The application was determined in accordance with the timescale agreed with the applicant.

7.0 Recommendation

7.1 Conditional Permission:

- 1 The development hereby permitted shall remain implemented in accordance with the details contained in the planning application hereby approved and plan numbers 050.501-0, 050.503-0, 100.501-0 unless the Local Planning Authority otherwise first agrees in writing.

Reason: In the interest of proper planning and to ensure a satisfactory development of the site.

- 2 Within three months following completion of the four classroom teaching blocks associated with planning application reference number 22/08395/FUL, the temporary classroom modules subject to this application shall be removed from the site and all land shall be returned to its original state. Any disturbance to the land shall be reinstated and the land returned to its original condition. Photographs shall be submitted to the LPA, within 3 months of the removal of the temporary classroom modules as confirmation of compliance with this condition.

Reason: to ensure the restoration works to the green space are properly completed and so that the development is carried out in accordance with the terms of the assessment on what has been applied for.

INFORMATIVE(S)

- 1 In accordance with paragraph 38 of the NPPF Buckinghamshire Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. Buckinghamshire Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

In this instance the applicant was updated after the site visit and afforded the opportunity to address issues. The application was determined in accordance with the timescale agreed with the applicant.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

None received.

Parish/Town Council Comments

Princes Risborough Town Council comments:

No comment received at the time of writing this report.

Consultation Responses

Strategic Access Officer – No objection (with respect to impact on public right of way).

Environmental Services – There is no objection in regards to the proposed development from Environmental Protection.

Lead Local Flood Authority – Given the scale and nature of the development, the LLFA removes their objection.

Archaeology Officer – The application site is located within an Archaeological Notification Area due to the discovery of human remains dating to the Neolithic and Roman periods. However, the two phases of archaeological investigations closest to the application area identified no archaeological remains. In addition, the form of the proposed classrooms suggests no ground excavation will be required. On this basis, we conclude that the nature of the proposals are such that they are unlikely to substantially harm the archaeological significance of any assets. We therefore have no objection to the proposed development and do not consider it necessary to apply a condition to safeguard archaeological interest.

Highways Officer - The application site is located along Merton Road, an unclassified residential road, subject to a 30mph speed restriction, which currently serves as the principal access to Princes Risborough School for staff, visitors and servicing facilities. Merton Road forms a priority junction with Clifford Road, which in turn connects to the A4010 (Wycombe Road), a strategic inter-urban route via a priority junction. There is also a secondary access via a priority junction off the A4010 (New Road).

This application proposes siting of 2(no) modular buildings comprising of 4(no) temporary classrooms.

Having assessed the submission, it appears that the proposed buildings are to provide pupil places whilst waiting for the construction of 4(no) classrooms permitted under application reference 22/08395/FUL. Highways comments for the previous application, dated 27th April 2023, ultimately raised no objections to the proposal subject to a condition. I also note the temporary classrooms are situated where the approved MUGA is located.

As stated within highways comments for the previous application, it was confirmed that the additional classrooms were to accommodate a bulge class for students admitted in 2021, as well as for retained students for higher level courses. In addition, it was confirmed that the proposals would not lead to additional capacity of the school beyond what was agreed in 2017 (ref: CC/01/17), or additional full-time equivalent staff. Given the above, and that these are temporary classrooms, I do not consider the proposal to result in an intensification of the site, nor would the proposals increase the site's parking requirement. As such, I am satisfied the development will not have a material impact upon the operation of the local highway network.

Mindful of the above, I do not have any objections to this application and no conditions to recommend with regard to highways issues.

Ecology - No Objection

The proposals involved the installation of two temporary buildings on existing hardstanding. It is considered that there is not a reasonable likelihood of protected species being present and/or affected by the proposed development. Therefore, no supporting ecological information is required.

Representations

Amenity Societies/Residents Associations

None

Other Representations

1 comment received neither objecting or supporting the application raising the following points:

- Application should be described as retrospective as has already been implemented.
- Request on any grant of approval that the classrooms are not used for music/amplified speech, controlled through planning condition to protect the amenity of adjoining residents.

No further comments were received at the time of writing this report

APPENDIX B: Site Location Plan

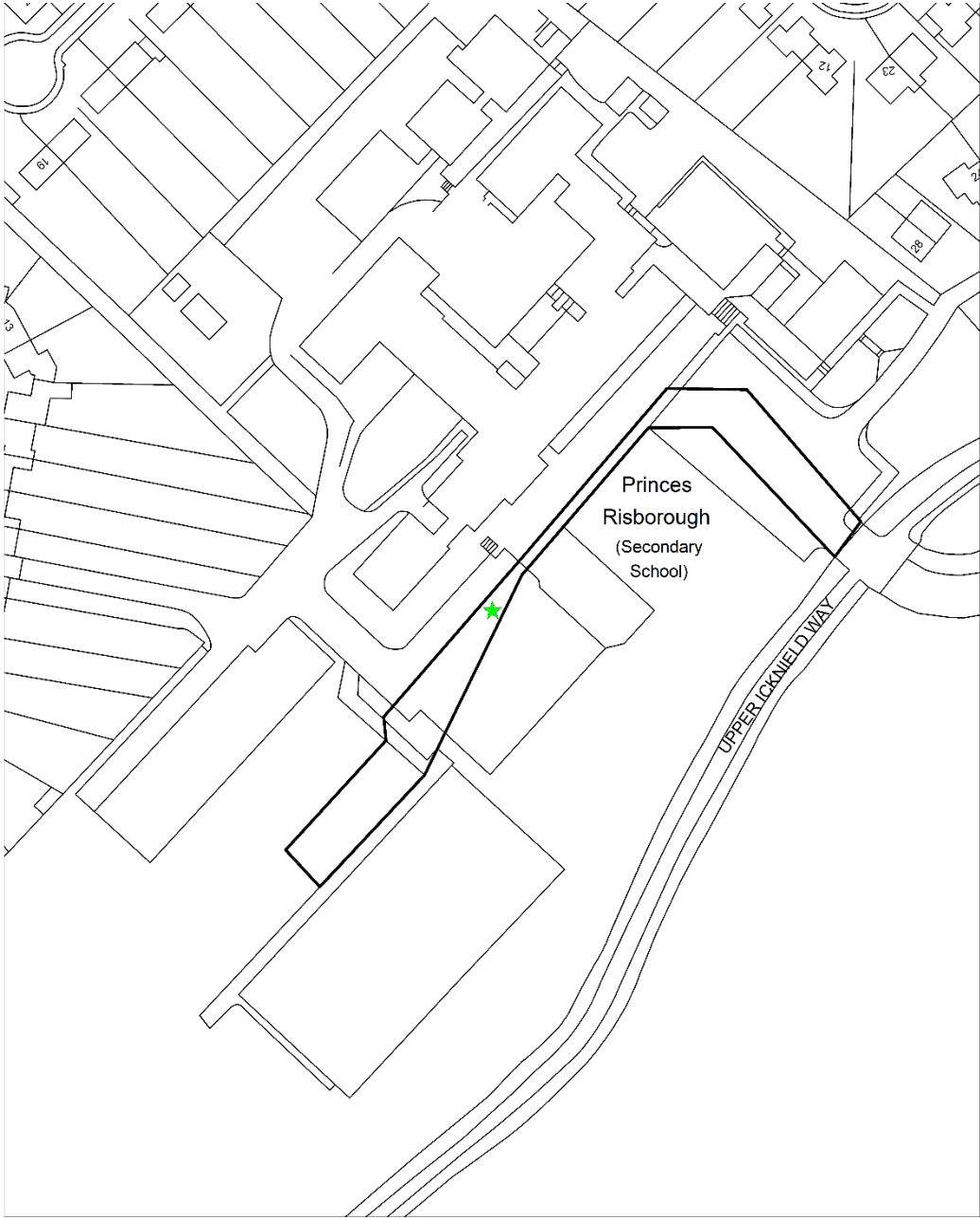


Do not scale – this map is indicative only

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APPENDIX B: Site Location Plan

23/06695/R9FUL
Scale 1/1250



Planning Committee
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Report to Area Planning Committee

Application Number:	CC/0015/23
Proposal:	Continuation of development at High Heavens Household Waste Site at variance to conditions 14 (Landscape Scheme), 16 (LEMP), 23 (Surface Water Drainage Scheme), 24 (Drainage Maintenance Plan), and 26 (Approved Documents) pursuant to planning permission ref: CC/0067/20 (Application for the demolition of Dano building, reconfiguration of the site and the erection of a food waste building, waste handling bays (part retrospective), contractors office, weighbridge, food waste tank, fire water tanks (retrospective), wheel wash and tank, ancillary tanks, hardstanding area, soil bund, fencing and associated development); to allow for a revised surface water management scheme and resultant changes to approved schemes including landscaping.
Site Location:	High Heavens Household Waste Site Clay Lane Booker Buckinghamshire SL7 3DJ
Applicant:	Buckinghamshire Council
Case Officer:	James Suter
Ward(s) affected:	Chiltern Villages
Parish-Town Council:	Great Marlow Parish Council
Date valid application received:	15th August 2023
Statutory determination date:	14th November 2023
Recommendation	It is recommended that subject to the imposition of planning conditions broadly in accordance with the details set out in this report, the application is APPROVED.

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The proposal seeks to vary conditions 14 (Landscape Scheme), 16 (LEMP), 23 (Surface Water Drainage Scheme), 24 (Drainage Maintenance Plan), and 26 (Approved Documents) pursuant to planning permission CC/0067/20 to allow for a revised surface water management scheme.

- 1.2 The key issues for determining this proposal include the principle of the development, impacts upon landscape, impacts upon ecology and impacts upon the water environment.
- 1.3 Proposals for the Council's own development will be treated with the same transparency and impartiality as those by private developers. Therefore, this application is being reported for determination by the Area Committee.
- 1.4 It is recommended that subject to the imposition of planning conditions broadly in accordance with the details set out in this report, the application is APPROVED.

2.0 Description of Site

- 2.1 The site is located within the High Heavens Waste Management complex which is located approximately 1km south of the southern fringe of High Wycombe and the M40. The site is approximately 500m from the southernmost properties in Booker and 800m northwest of Marlow Bottom.
- 2.2 The site is located within the Chilterns Area of Outstanding Natural Beauty (AONB). A section of the access road which is off Clay Lane is within the Green Belt but no built development is proposed within the Green Belt. The site is not located within any local landscape designations such as Areas of Attractive Landscape (AALs) or Local Landscape Areas (LLAs). The site does fall within the Landscape Type 18 Rolling Farmland and Landscape Character area and 18.1 Great Marlow Rolling Farmland as set out in the Wycombe District Landscape Character Assessment 2011.
- 2.3 No public rights of way intersect the development site but Bridleway GMA/33/1 runs west-east adjacent to the access road and footpath GMA/31/1 runs north-south approximately 100m west of the main complex. The nearest residential areas to the site are the properties of Clay Hill and Claymoor Park, the northern most properties of Marlow Bottom and the areas of Booker and Cressex.
- 2.4 The site is approximately 2km south east of Widdenton Wood SSSI. There are several local wildlife sites and biological notification sites in the vicinity of the application site including Hillgreen Wood, Holyhill Wood, High Heavens Wood, Munces Wood, Highruse Wood, Moor Wood and Booker Common. Hillgreen Wood, immediately to the east of the complex, is also ancient and seminatural woodland while Hollyhill wood and High Heavens wood (approximately 700m and 350m from the application site respectively) are ancient and replanted woodland.
- 2.5 There are two listed buildings within 1km of the site. The buildings are associated with Widmere Farm which lies approximately 800m away from the site to the south-west. The buildings are Widmere Farmhouse (Grade II*) and Widmere Stables (Grade II).
- 2.6 The site is located within Flood Zone 1. It is not within any groundwater source protection zone.
- 2.7 The area has a long history of waste management with the site operating as a landfill site from the 1950s to 2008. Planning permission was granted in 1999 for a landfill gas electricity plant. Consent was granted for a household waste recycling centre (HRWC) in 2007 which was subsequently implemented. A planning application for the construction and operation of a Waste Transfer Station for the reception, bulking and transfer of municipal solid waste; and commercial and industrial waste was granted in 2012 (planning permission no. CC11/9003/CM). This planning permission included the provision of the upgraded access road and was implemented.

- 2.8 The site which is subject to this application is set out in the Location Plan in Appendix B but essentially includes the haul road and the southeastern portion of the High Heavens Waste Complex.

3.0 Description of Proposed Development

- 3.1 The proposal seeks to vary conditions 14 (Landscape Scheme), 16 (LEMP), 23 (Surface Water Drainage Scheme), 24 (Drainage Maintenance Plan), and 26 (Approved Documents) pursuant to planning permission ref: CC/0067/20 which permitted the following development:

Application for the demolition of Dano building, reconfiguration of the site and the erection of a food waste building, waste handling bays (part retrospective), contractors office, weighbridge, food waste tank, fire water tanks (retrospective), wheel wash and tank, ancillary tanks, hardstanding area, soil bund, fencing and associated development); to allow for a revised surface water management scheme and resultant changes to approved schemes including landscaping

- 3.2 In summary, the approved soakaway infiltration drainage design for the northeast corner of the site is no longer feasible to handle surface water drainage management due to poor soil infiltration properties not previously identified.
- 3.3 An alternative pumped attenuation storage system for the area is now proposed which would discharge direct to the on-site drainage network. The revised scheme would replace the scheme previously approved pursuant to condition 23.
- 3.4 An updated drainage maintenance plan has been developed by the applicant and would replace the scheme previously approved pursuant to condition 24.
- 3.5 As an additional consequence of the proposed changes to the drainage system there is now a need to realign the boundary fencing and access gates. This is because the increase in footprint of the interconnected attenuation chambers requires a change of configuration and position to allow sufficient clearance between the proposals and nearby site features.
- 3.6 These changes would in turn result in an amendment to the approved landscaping scheme as planting cannot be carried out atop of the attenuation chamber access covers (conditions 14 and 16).
- 3.7 Condition 26 lists approved documents and accordingly this condition would be updated to reflect the above changes.
- 3.8 This application is made under Section 73 of the Planning Act. Although often referred to as an application to vary or remove a condition an application under this section of the Act actually has no effect on the original permission it is not an amendment to the earlier permission. It is a separate freestanding permission that the applicant is entitled to implement or ignore. This application must therefore be capable of being implemented in its own right and therefore all appropriate conditions and obligations must be imposed.

4.0 Relevant Planning History

Reference	Development	Decision	Decision Date
CC/57/02	High Heavens Waste complex, green waste composting facility	PER	04-Jun-03

CC/07/05	Proposed improvement and extension of Household Waste and Recycling Centre (HWRC); ancillary storage; and temporary HWRC	PER	15-Sep-05
CC/59/05	Variation of condition 13 attached to consent CC/57/02 to allow an extension of the permitted operational hours from 1.00pm to 3.30pm on Saturdays at the composting facility	PER	23-Jan-06
CC/06/06	Proposed extension of time for the completion of restoration and variation of final contours	PER	31-Mar-06
CC/05/07	Variation of condition 12 of planning permission no CC/57/02 and CC/59/05 to increase the number of daily vehicle movements from 50 to 80	PER	25-Jan-08
CC/04/07	Proposed new waste reception and processing building, new site office, new maturation building and a replacement household waste recycling centre	PER	25-Jan-08
CC/33/08	Proposed small water treatment facility including effluent tanks and a buried pipeline connecting the existing and proposed effluent tanks to the public sewer	PER	21-Jan-09
CC11/9003/CM	The construction and operation of a Waste Transfer Station for the reception, bulking and transfer of municipal solid waste; and commercial and industrial waste; to include the following: The construction of a new bellmouth at the junction of the existing High Heavens facility access road and Clay Lane including directional signage; Realignment and widening of the existing High Heavens facility access road from Clay Lane to the proposed Waste Transfer Station (including associated landscaping and directional signage); dedicated gated site access (from the existing High Heavens waste management facility), surrounding hard standing and vehicle circulatory areas; a waste transfer building, sprinkler tank, pumphouse and refuel point; parking for HGVs and, RCVs associated with the operation; perimeter fencing;	PER	26-Jul-12
NMA/54/14	Non material amendment to planning permission CC11/9003/CM for construction and operation of a Waste Transfer Station for the reception, bulking and transfer of municipal solid waste; and commercial and industrial waste.	NMAP	11-Aug-14
CM/72/14	Variation of Condition 18 attached to the planning permission CC11/9003/CM to enable the use of piling foundations	PER	06-Jan-15
CX/02/14	Application for a Certificate of Lawful Existing Use for a mixed waste transfer station which includes use of that part of the site edged red on the plan submitted for the importation; sorting, process and transfer of waste between the hours of 7.30am - 6pm (Mondays to Fridays); 8.00am - 5.30pm (Saturdays); 9.00am - 5.30pm (Bank + Public holidays except Christmas Day, Boxing Day and New Year's Day) and; 8.30am - 1.00 pm (Sundays - for the importation of waste from Civic Amenity Sites referred to as HWRCs only).	PER	03-Nov-14

NMA/18/15	Non material amendment seeking consent to construct a retaining wall pursuant to consent CC11/9003/CM	NMAP	31-Mar-15
NMA/9003/2015	Non-material amendment	NMAP	03-Sep-15
CM/67/15	Variation of Condition 8 of permission CC11 9003 CM to enable deliveries to be made by all waste vehicles types for 8am-5.00pm on not more than 12 Saturdays per year so that the condition read as No operation authorised by the planning permission shall be carried out other than between the following hours 7am to 5.00pm Mondays to Fridays: 8.00am to 5.00pm on not more than twelve Saturdays per year, 7.00am to 12 noon on all other Saturdays for deliveries from Household Waste Recycling Centres and Council Depots and up to 10 HGV waste collections, 8.00am to 12 noon Sundays for deliveries from Household Waste Recycling Centres only. No operations shall be carried out on Bank or Public Holidays	PER	01-Mar-16
CM/11/16	Variation of condition 3 and 4 attached to consent W/99/5493 to extend the time for removal of containerised generators, transformers and oil tank and to extend the time for removal of the remaining plants, buildings and equipment in accordance with the requirements of the Environment Agency to 1 June 2019 and 1 December 2019 respectively.	PER	27-Apr-16
CX/08/16	Demolition of Dano Drum and Pulveriser Building	PER	03-Oct-16
CC/95/17	Infilling of approximately 15,000m3 of inert material and drainage works to create a concrete slab at the 'Lower Dano Area' within the High Heavens Waste Management Complex	PER	20-Dec-17
CM/0001/18	The erection of a single storey Waste Transfer Station (WTS) containing three designated waste halls to accept green, food and bulky waste, a segregated area for fly tipped waste and space for internal waste shredding and the reorientation of four external storage bays, the placement of hardstanding, the creation of aquarantine area, the retention and refurbishment of the existing BCC office, and construction of a new contractors office and ancillary development including internal access roads, parking, a gatehouse, two weighbridges, cycle and smoking shelter, fire water tanks, waste water tank, wheel wash, drainage and attenuation systems, HGV laybys and the continued use of an existing workshop	PER	06-Aug-18
CC/0067/20	Application for the demolition of Dano building, reconfiguration of the site and the erection of a food waste building, waste handling bays (part retrospective), contractors office, weighbridge, food waste tank, fire water tanks (retrospective), wheel wash and tank, ancillary tanks, hardstanding area, soil bund, fencing and associated development at High Heavens Landfill Site, Clay Lane, Booker.	PER	21-May-21

NMA/0033/21	Non-material amendment application to the approved planning application ref: CC/0067/20 at High Heavens Complex to vary the cladding details of the food waste building on approved drawings.	NMAP	5-Aug-21
NMA/0009/22	Non Material Amendment to condition 21 (Electric Vehicle Charging Points) of planning consent Ref: CC/0067/20 to amend the timings for which electric vehicle charging points are required to be installed.	NMAP	11-May-22
NMA/0027/22	Non Material Amendment to condition 8 (Hours of Operation) of planning consent Ref: CM/67/15 to increase the number of days per year Saturday working between 8am to 5pm is consented.	NMAP	7-Dec-22

5.0 Policy Considerations and Evaluation

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. Section 85 of the Countryside and Rights of Way Act 2000 requires that in exercising a function affecting land in an AONB, the Council shall have regard to the purpose of conserving and enhancing the natural beauty of the AONB.

5.2 The development plan for this area comprises of:

- Buckinghamshire Minerals and Waste Local Plan 2019 (BMWLP)
- Wycombe District Local Plan 2019 (WDLP)
- Wycombe District Adopted Delivery and Site Allocations Plan 2013 (ADSAP)

5.3 The following policies are considered relevant to the proposed development:

Buckinghamshire Minerals and Waste Local Plan (BMWLP)

- Policy 11 (Waste Management Capacity Needs)
- Policy 16 (Managing Impacts on Amenity and Natural Resources)
- Policy 18 (Natural Environment)
- Policy 20 (Landscape Character)
- Policy 21 (Green Belt)
- Policy 22 (Chilterns AONB)
- Policy 23 (Design and Climate Change)
- Policy 24 (Environmental Enhancement)
- Policy 26 (Safeguarding of Minerals Development and Waste Management Infrastructure)

Wycombe District Local Plan (WDLP)

- CP1 (Sustainable Development)
- CP8 (Protecting the Green Belt)
- CP10 (Green Infrastructure and the Natural Environment)

- CP11 (Historic Environment)
- CP12 (Climate Change)
- DM20 (Matters to be determined in accordance with the NPPF)
- DM30 (Chilterns AONB)
- DM31 (Development Affecting the Historic Environment)
- DM32 (Landscape Character and Settlement Patterns)
- DM33 (Managing Carbon Emissions: Transport and Energy Generation)
- DM34 (Delivering Green Infrastructure and Biodiversity in Development)
- DM35 (Placemaking and Design Quality)
- DM38 (Water Quality and Supply)
- DM39 (Managing Flood Risk and Sustainable Drainage Systems)
- DM42 (Managing Development in the Green Belt)
- DM44 (Development in the Countryside Outside of the Green Belt)

Wycombe District Adopted Delivery and Site Allocations Plan 2013 (WDSAP)

- DM1 (Presumption in Favour of Sustainable Development)
- DM13 (Conservation and Enhancement of Sites, Habitats and Species of Biodiversity and Geodiversity Importance)
- DM14 (Biodiversity in Development)

5.4 In addition, it is considered the following documents are relevant for the determination of the application:

- National Planning Policy Framework (NPPF)
- National Planning Policy for Waste (NPPW)
- National Planning Practice Guidance (NPPG)
- The Chilterns AONB Management Plan 2019-2024 (CMP)
- Wycombe District Council Air Quality Supplementary Planning Document

Principle of Development

Policy 11 (Waste Management Capacity Needs)

5.5 Policy 11 of the BMWLP sets out waste management capacity needs within the plan period. The waste arising forecasts have informed the identification of the needs for the plan period. The proposed development is designed to facilitate the forecasted increase in waste requiring management over the next 20 years.

5.6 The site provides an integral part of the waste management capacity for the west area of Buckinghamshire.

Flooding and drainage

Policy 16 (Managing Impacts on Amenity and Natural Resources)

Policy DM39 (Managing Flood Risk and Sustainable Drainage Systems)

Policy 23 (Design and Climate Change)

5.7 Policy 16 of the BMWLP states all proposals for minerals and waste development must demonstrate the proposed development would not give rise to unacceptable impacts on the quality and quantity of water resources (including ground and surface waters), Source Protection Zones and flood risk.

- 5.8 Policy 23 of the BMWLP states that as part of securing high quality design development should apply the SUDS hierarchy.
- 5.9 Policy DM39 of the WDLP makes similar provision and of relevance to the proposal requires development to demonstrate the feasibility of sustainable drainage systems with priority to be given to such systems, employ the drainage hierarchy and include details for future maintenance.
- 5.10 As described above, the approved soakaway infiltration drainage design for the northeast corner of the site is no longer feasible to handle surface water drainage management due to poor soil infiltration properties not previously identified. An alternative pumped attenuation storage system for the area is now proposed which would discharge direct to the on-site drainage network.
- 5.11 The Lead Local Flood Authority were consulted on the proposal and hold no objection subject to conditions securing the surface water drainage scheme and its maintenance.
- 5.12 The Environment Agency were consulted on the proposal and hold no objection to the proposal.
- 5.13 NPPG Paragraph 056 (Reference ID: 7-056-20220825, Revision date: 25 08 2022) advises that “the types of sustainable drainage system which it may be appropriate to consider, will depend on the proposed development and its location, as well as any planning policies and guidance that apply locally... where possible, preference should be given to multi-functional sustainable drainage system”.
- 5.14 With regards to the drainage hierarchy this change moves the surface water design from the top of the hierarchy to the bottom. In this case, it has been demonstrated that the proposed soakaway design is not feasible following in-situ testing and therefore a pumped attenuation storage system is proposed.
- 5.15 Whilst the proposal would result in a surface water drainage scheme which is at the bottom of the hierarchy it has been demonstrated that the initially selected infiltration scheme was not possible to implement. The proposed variations would provide for the maintenance of the revised scheme and is deemed to satisfactorily manage surface water generated from the site.

Ecology

Policy 18 (Natural Environment)

Policy 24 (Environmental Enhancement)

Policy CP10 (Green Infrastructure and the Natural Environment)

Policy DM13 (Conservation and Enhancement of Sites, Habitats and Species of Biodiversity and Geodiversity Importance)

Policy DM14 (Biodiversity in Development)

Policy DM34 (Delivering Green Infrastructure and Biodiversity in Development)

- 5.16 Policy 18 of the BMWLP seeks to protect and enhance natural assets and resources and states developments should provide net gains in biodiversity.
- 5.17 Policy 24 of the BMWLP states proposals for new or extensions to existing waste development must incorporate measures on-site and/or off-site to enhance Buckinghamshire’s environmental assets and green infrastructure networks. This includes opportunities to deliver net gains for biodiversity net gain and the positive integration of the site within the wider landscape.

- 5.18 Policies CP10 and DM34 of the WDLP and Policies DM13 and DM14 of the WDSAP taken together have similar aims to the policies of the BMWLP seeking to prevent harm upon natural assets and provide biodiversity gain where possible.
- 5.19 The council's ecologist was consulted on the proposal and noted that it would result in minor changes to the approved landscaping scheme.
- 5.20 The ecologist notes that a small area of existing trees and shrub that would have been retained and protected under the consented proposals will under the new proposals be lost. This is due to the need to reposition the proposed fencing to facilitate the construction of the attenuation chambers. The vegetation to be lost is considered by the ecologist to be of low conservation value and to be negligible.
- 5.21 Overall, it is considered that the loss of a small area of vegetation of low quality is negligible and weights neutrally in the planning balance.

Landscape and Visual Impact and Chilterns AONB

Policy 20 (Landscape Character)

Policy DM32 (Landscape Character and Settlement Patterns)

Policy 22 (Chilterns AONB)

DM30 (Chilterns AONB)

- 5.22 Policy 20 of the BMWLP seeks to ensure minerals and waste development protects and enhances valued landscape in a manner commensurate with their status.
- 5.23 Policy DM32 of the WDLP requires development to protect and reinforce positive key characteristics of the receiving landscape. The policy also requires development to evidence an understanding of the landscape and demonstrate positive responses to existing landscape character and design guidance and other landscape features on and around the site, tranquillity and darkness and views and vistas both to and from the site. The policy also requires development to demonstrate a mitigation hierarchy has been followed in a cumulative way, to avoid, minimise and mitigate harm; and that opportunities for enhancement have been taken.
- 5.24 Policy 22 of the BMWLP states proposals for minerals and waste development should conserve and enhance the Chilterns AONB, comply with the prevailing AONB Management Plan and other relevant guidance, and demonstrate exceptional circumstances and that the development is in the public interest. The policy adds that proposals within the AONB and its setting will be permitted where it can be demonstrated that it:
- does not result in harm to the AONB and does not conflict with the purpose(s) of the designation;
 - contributes towards provision of waste management capacity for preparing for reuse and recycling;
 - supports the economies and social well-being of local communities in the area;
 - includes opportunities, where appropriate, to enhance the character, assets and appearance of the AONB and its setting, including ensuring a high standard of design for development and integration of the site within its landscape setting;
 - is compliant with relevant MWLP policies.
- 5.25 Policy DM30 of the WDLP makes similar provision and adds that planning permission for proposals which constitute major development in the AONB will only be permitted where in accordance with national policy.

- 5.26 Paragraph 172 of the NPPF states great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.
- 5.27 Section 85 of the CRoW Act 2000 states there is a duty on all relevant authorities to have regard to this purpose in exercising or performing any functions in relation to, or so as to affect land in AONBs.
- 5.28 The proposal would result in the removal of a small area of vegetation as a result of proposed changes to the approved drainage system at the site.
- 5.29 The Chilterns AONB Conservation Board were consulted on the proposal and whilst initially objected to the scheme, upon receiving further information they withdrew the objection.
- 5.30 It is considered that the proposed changes would not result in any tangible impacts upon landscape nor the Chilterns AONB. It is considered that the proposal meets the abovementioned policies.

Green Belt

Policy 21 (Green Belt)

Policy CP8 (Protecting the Green Belt)

Policy DM42 (Managing Development in the Green Belt)

- 5.31 Policy 21 of the BMWLP seeks to preserve the openness and characteristics of the Green Belt and states development of waste management facilities in the Green Belt will be supported where it can be demonstrated that the development would not form inappropriate development and provided that it preserves the openness of and does not conflict with the purposes of including land in, the Green Belt. The policy sets out a number of circumstances where waste development in the Green Belt may be regarded as not inappropriate and what considerations might contribute to very special circumstances.
- 5.32 Policy CP8 of the WDLP makes similar provision seeking to protect the Green Belt from inappropriate development.
- 5.33 Policy DM42 of the WDLP makes similar provision.
- 5.34 Paragraph 143 of the NPPF states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 5.35 Upon adoption of the WDLP the land surrounding the High Heavens site was released from Green Belt with only the access road north of the site remaining within the designation. In consideration of Green Belt policy, as no built development is proposed within the Green Belt itself but only continued use of the existing access road, it is considered the development is not inappropriate and therefore it is considered the proposal is not contrary to Green Belt policy.

Other Matters

- 5.36 The variation of condition application provides opportunity to update the planning permission. It is therefore recommended that where details pursuant to existing conditions have been submitted and approved and specific provisions have been implemented; those conditions are updated in the new consent.

6.0 Weighing and balancing of issues / Overall Assessment

- 6.1 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a. Provision of the development plan insofar as they are material,
 - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
 - c. Any other material considerations
- 6.2 As set out above it is considered that the proposed development would accord with the development plan and no material considerations dictate that a decision should be taken other than in accordance with the development plan.
- 6.3 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

7.0 Working with the applicant / agent

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

8.0 Recommendation

- 8.1 It is recommended that subject to the imposition of planning conditions broadly in accordance with the following conditions, the application is APPROVED.
1. No construction work shall take place at the site other than between the following hours:
 - 8:00 to 18:00 Monday to Friday
 - 8:00 to 13:00 Saturday
 - There shall be no working on Sundays or Public and Bank Holidays.
- Reason: In the interests of amenity for the local area and to comply with policies 16 and 17 of the Buckinghamshire Minerals and Waste Local Plan.

2. No operations shall take place at the site other than between the following hours:
 - Monday to Friday 7:30am to 6:00pm;
 - Saturdays 8:00am to 5:00pm; and,
 - Sunday 8:30am to 1:00pm.

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

3. The maximum number of heavy goods vehicles associated with the development shall not exceed 132 (66 in, 66 out) per day.

Reason: To minimise danger, obstruction and inconvenience to users of the highway and to comply with policy 17 of the Buckinghamshire Minerals and Waste Local Plan.

4. No lighting with the exception of security lighting shall be used between the hours of 7:00pm - 7:00am.

Reason: To preserve the dark skies of the AONB and the amenities of the local area and to comply with policies 16 and 22 of the Buckinghamshire Minerals and Waste Local Plan.

5. External Lighting shall be installed in accordance with External Lighting Layout Drawing No: 405897-MMD-WTS-XX-DR-E-0041 Rev C03 and High Heavens Bio-Waste Transfer Station- Luminaire Schedule Ref: 405897-MMD-WTS-XX-SH-E-0001 Rev 0. All external lighting shall be directed downward.

Reason: In the interests of preserving the dark skies of the Chilterns AONB and in accordance with policy 22 of the Buckinghamshire Minerals and Waste Local Plan.

6. The roller shutter doors on the food waste building shall be kept closed when not in use by vehicles entering or egressing the food waste building.

Reason: To contain the dust and odour nuisance from within the waste transfer building in the interests of local amenity and in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

7. The access road between the Bio-waste Transfer Station and Clay Lane shall be maintained free of potholes for the duration of the operation of the development. Any potholes shall be repaired expeditiously and without undue delay.

Reason: To limit the impact of noise on the amenities of neighbouring properties to comply with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

8. The development shall not be carried out other than in complete accordance with the litter and vermin control methods set out in Chapter 2 of the submitted Environmental Statement Ref: 405897-MMD-WTS-XX-RP-EN-0015 Rev P01 (dated December 2020).

Reason: To manage litter and vermin in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

9. The development shall not be carried out other than in accordance with the Odour Management Plan submitted pursuant to condition 10 of planning permission ref:

CC/0067/20 and approved in writing by letter dated 3rd November 2023 (Ref: AOC/0028/23).

Reason: To protect the locality from loss of amenity from odour and in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

10. Piling or other foundation designs which impact the historic landfill using penetrative methods shall not be used without the prior written agreement of the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: To protect groundwater quality in the Chalk Aquifer below the site line with paragraph 170 of the National Planning Policy Framework, policy DM38 of the Wycombe District Local Plan and policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

11. The development shall not be carried out other than in accordance with the contamination monitoring and works plan and associated documents submitted pursuant to condition 12 of planning permission ref: CC/0067/20 and approved in writing by letter dated 1st March 2022 (Ref: AOC/0034/21).

Reason: To demonstrate the redevelopment works are not having an adverse impact on groundwater quality in line with paragraph 170 of the National Planning Policy Framework and policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

12. The development shall not be carried out other than in accordance with the Construction Environment Management Plan submitted pursuant to condition 13 of planning permission ref: CC/0067/20 and approved in writing by letter dated 1st March 2022 (Ref: AOC/0034/21).

Reason: For the protection of the natural environment in accordance with policy 18 of the Buckinghamshire Minerals and Waste Local Plan.

13. The development shall not be carried out other than in accordance with the following documents relating to landscaping:

- Landscape Planting Specification, dated November 2021 Rev P02
- Planting Matrix and Tree Pit Details, Drawing Number: 405897-MMD-WTS-XX-DR-EN-1002 dated 29th November 2021 Rev P2
- Rabbit Fencing Details, Drawing Number: 405897-MMD-WTS-XX-DR-EN-1003 dated 29th November 2021 Rev P2
- Landscape Proposals Plan, Drawing Number: 05897-MMD-WTS-XX-DR-EN-0009 dated 2nd March 2023 Rev P3
- Detailed Planting Plan, Drawing Number: 405897-MMD-WTS-XX-DR-EN-1001 dated 2nd February 2023 Rev P2

Reason: In the interests of amenity, biodiversity, to ensure a satisfactory standard of landscaping and in accordance with policy DM34 of the Wycombe District Local Plan and policy 18 of the Buckinghamshire Minerals and Waste Local Plan.

14. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following first use of the buildings or the completion of the development, whichever is the sooner. Any trees,

plants or areas of turfing or seeding which, within a period of 5 years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: In the interests of amenity, biodiversity, to ensure a satisfactory standard of landscaping and in accordance with policy DM34 of the Wycombe District Local Plan and policy 18 of the Buckinghamshire Minerals and Waste Local Plan.

15. The development shall not be carried out other than in accordance with the Landscape and Ecological Management Plan (Document Ref: 405897-MMD-WTS-XX-RP-EN-1001 (Rev P03.1)).

Reason: For the protection and management of the natural environment in accordance with policy 18 of the Buckinghamshire Minerals and Waste Local Plan.

16. The development shall not be carried out other than in accordance with the Traffic Management Plan submitted pursuant to condition 17 of planning permission ref: CC/0067/20 and approved in writing by letter dated 7th March 2022 (Ref: AOC/0002/22).

Reason: To minimise danger, obstruction and inconvenience to users of the highway, to minimise adverse effects on the AONB and to comply with policies 17 and 22 of the Buckinghamshire Minerals and Waste Local Plan.

17. The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to first use of the food waste building hereby permitted and that area shall not thereafter be used for any other purpose.

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

18. The proposed bicycle parking provision shall be installed prior to first use of the food waste building.

Reason: To ensure the provision of sustainable transport infrastructure in accordance with policy 17 of the Buckinghamshire Minerals and Waste Local Plan.

19. The development shall not be carried out other than in accordance with the Construction Traffic Management Plan and associated documents submitted pursuant to condition 20 of planning permission ref: CC/0067/20 and approved in writing by letter dated 1st March 2022 (Ref: AOC/0034/21).

Reason: Development cannot be allowed to take place which could cause danger, obstruction and inconvenience to users of the highway and of the development contrary to policy 17 of the Buckinghamshire Minerals and Waste Local Plan.

20. Two electric vehicle charging points shall be installed on site. Thereafter the electric vehicle charging points shall be retained as such and maintained in full working order for the lifetime of the development.

Reason: To manage carbon emission generation and mitigate for climate change in accordance with policies CP12 and DM33 of the Wycombe District Local Plan.

21. The development shall not be carried out other than in accordance with the site waste management plan and associated documents submitted pursuant to condition 22 of planning permission ref: CC/0067/20 and approved in writing by letter dated 1st March 2022 (ref: AOC/0034/21).

Reason: To secure sustainable design and construction methods which minimise use of primary minerals, make use of recycled and alternative materials and use construction methods that that minimise waste production and maximise re-use and recovery of materials on-site in accordance with policy 10 of the Buckinghamshire Minerals and Waste Local Plan.

22. The development permitted by this planning permission shall not be carried out other than in accordance with the approved Surface Water Drainage Strategy (High Heavens Bio-Waste Transfer Station Clean Surface Water Drainage Layout (405897-MMD-WTS-XX-DR-C-0013, 21/12/2022, Mott MacDonald)), High Heavens Drainage Technical Note (405897, 30th June 2023, Mott MacDonald).

Reason: To ensure that a sustainable drainage strategy has been agreed in accordance with Paragraph 163 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk and in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

23. The maintenance of the surface water drainage strategy of the development permitted by this planning permission shall be carried out in accordance with the Whole Life Drainage Maintenance Plan dated 16th August 2023.

Reason: To demonstrate the redevelopment works are not having an adverse impact on groundwater quality line with paragraph 170 of the National Planning Policy Framework and policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

24. Within 12 months of the first use of the food waste building, a demonstration (including as as-built drawings and/or photographic evidence) of the as-built drainage scheme carried out by a suitably qualified person shall be submitted to and approved by the local planning authority to demonstrate that the sustainable drainage system has been constructed as per details approved by condition 23.

Reason: To ensure the drainage system is constructed as per the approved drawings and to prevent adverse impacts upon groundwater quality in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

25. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings and documents:

- Proposed Elevations for Office / Gatehouse Building Drawing No: 405897 - MMD - WTS - XX - DR - A – 0032 Rev P1
- Landscape Proposals Plan, Drawing Number: 05897-MMD-WTS-XX-DR-EN-0009 dated 2nd March 2023 Rev P3
- Walling Information Drawing No: 14000-S601 Rev A
- Rockwall Bolt Down Panel Drawing dated 28th June 2017

- Balmoral Tanks Details dated 1st June 2020
- Drainage Construction Details Drawing Nos: 405897-MMD-WTS-XX-DR-C-1001 Rev 0, 405897-MMD-WTS-XX-DR-C-1002 Rev 0 and 405897-MMD-WTS-XX-DR-C-1003 Rev C02
- Clean Surface Water Drainage Layout, Drawing No: 405897-MMD-WTS-XX-DR-C-0013, 21/12/2022, Rev C02 dated 21st December 2022
- Surface Water Overflow Drainage Layout Drawing No: 405897-MMD-WTS-XX-DR-C-0003 Rev 0
- Food Waste Leachate Drainage General Arrangement Plan Drawing No: 405897-MMD-WTS-XX-DR-C-0002 Rev 0
- Foul / Dirty Water Drainage Layout Drawing No: 405897-MMD-WTS-XX-DR-C-0004 Rev 0
- Food Waste Building Roof Plan Drawing No: 405897 - MMD - WTS - XX - DR - A - 0038 Rev P0
- Food Waste Building Sections Drawing No: 405897 - MMD - WTS - XX - DR - A - 0035 Rev P0
- Proposed Elevations for Food Waste Building Drawing No: 405897-MMD-WTS-XX-DR-A-0031 Rev P01 dated 22nd July 2021
- Office/Gatehouse Building Layout Plan Drawing No: 405897 - MMD - WTS - GF - DR - A - 0034 Rev P0
- Food Waste Building Plant Room Drawing No: 405897 - MMD - WTS - XX - DR - A - 0042 Rev P0
- Food Waste Building Plan Drawing No: 405897 - MMD - WTS - GF - DR - A - 0033 Rev P0
- 1-2500 Boundary – (Site Location Plan) Drawing No: 405897 - MMD - WTS - XX - DR - A - 0046 Rev P1 dated 20th February 2023
- Existing Site Plan with Proposed Drawing No: 405897 - MMD - WTS - XX - DR - A - 0044 Rev P0
- Existing Site Plan Drawing No: 405897 - MMD - WTS - XX - DR - A - 0043 Rev P0
- Site Proposal Plan Drawing No: 405897 - MMD - WTS - XX - DR - A - 0045 Rev P2 dated 4th August 2023
- External Lighting Layout Drawing No: 405897-MMD-WTS-XX-DR-E-0041 Rev C03 dated 21st February 2023
- High Heavens Bio-Waste Transfer Station- Luminaire Schedule Ref: 405897-MMD-WTS-XX-SH-E-0001 Rev 0

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

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Cllr Mark Turner – No comment received.

Cllr Zahir Mohammed – No comment received.

Cllr Dominic Barnes – No comment received.

Parish/Town Council Comments

Great Marlow Parish Council – No comment received.

Consultation Responses

BC Ecology – No Objection. The new proposals will result in only minor changes in the approved landscape scheme.

BC LLFA – No objection subject to conditions securing the surface water drainage scheme and its maintenance.

Environment Agency – No objection to the proposal.

Chilterns AONB Conservation Board –

Many thanks for clarifying the additional details and assurances that the CCB originally sought on this application. In light of these, the CCB is content to withdraw its objections (dated 21st August 2023 consultation) and to replace our consultation response with 'comments - seeking further information'. To clarify, these 'comments -seeking further information' have been addressed. For completeness, we annotate our original consultation details, as below.

- The application does not contain any supporting statement to explain why these variations are required. If they are due to the reconfiguration of the site (as stated in the description of development), or for any other reasons, it is a reasonable expectation that this will be dealt with in such a statement. If the retrospective application requires relocations and is linked to the proposed tree removals, this is very regrettable and contrary to AONB policy. However, this detail is not explained.

Updated 29th Nov 2023 - this statement has now been drawn to our attention, and we accept that underlying rationale.

- No proportionate Design & Access Statement or updated Landscape and Visual Impact Assessment is submitted. No covering letter or supporting statement is submitted.

Updated 29th Nov 2023 - we accept these documents are not required, in light of the magnitude of what is being proposed.

- The Landscape Plan 405897-MMD-WTS-XX-DR-EN-0009 does not explain how this differs from the approved drawing. We have assumed that the 'Site Won Solid Bund' is a variation from the approved mitigation. If correct, then we seek far greater information on the proposed loss of trees, and we question the need for this.

Updated 29th Nov 2023 We understand the tree loss is very limited and deemed category C under the BS:5837 methodology. The site is otherwise very well-screened.

- The detailed landscape plan 405897-MMD-WTS-XX-DR-EN-1001 denotes existing trees outside the proposed seed/meadow planting and in the land edged blue. We assume that the land-

edged blue is protected within the original content.

Updated 29th Nov 2023 this has been addressed and we have no objection.

- The lighting plan 405897-MMD-XX-DR-E-0041-CO2 does not include necessary technical details, including the height of each lighting column, details of CCT/Kelvin and the radii of illumination.

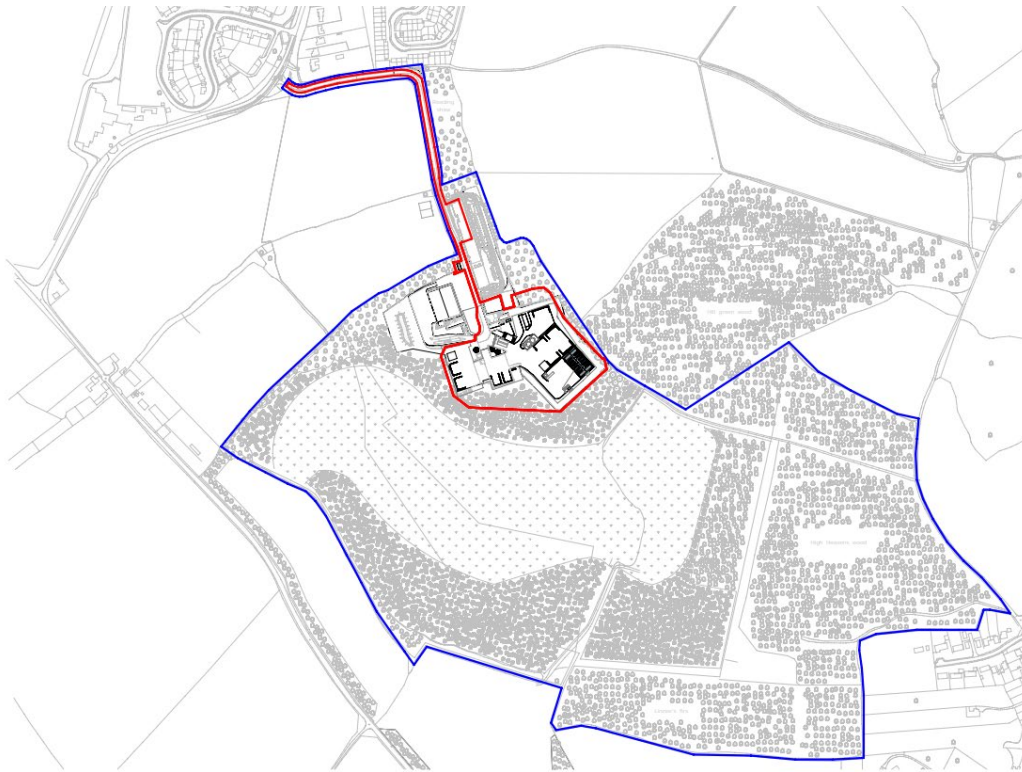
Updated 29th Nov 2023 this has been addressed and we have **no objection**.

The CCB is grateful to the case officer for this additional information and clarification, as the originally submitted application was difficult to orientate.

Representations

No comments received.

APPENDIX B: Site Location Plan



Site Location Plan
1 : 2500

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Date	Drawn	Description	Checked	Appr'd
21/11/2023	MM	Submitted for planning application	MM	DC
22/11/2023	MM	Approved for planning application	MM	DC

SUITABLE FOR PLANNING APPLICATION **S4**

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Client
resourcefutures

Title:
High Heavens Bio-Waste Transfer Station
1-2500 Boundary

Drawn	South Ward	City/Arch	
Drawn	South Ward	Coordination	South Ward
Design/Arch	Manual/Computer	Approved	Download/Print
Scale as P1	Scale	Priority	Priority
As Shown	CON	P1	STD

Drawing Number:
405897 - MMD - WTS - XX - DR - A - 0046

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