



South Buckinghamshire Area Planning Committee agenda

Date: Tuesday 19 September 2023

Time: 2.30 pm

Venue: Amersham Council Chamber, King George V House, King George V Road,
Amersham HP6 5AW

Membership:

T Egleton (Chairman), D Anthony, M Bracken, S Chhokar, P Griffin, G Hollis (Vice-Chairman), Dr W Matthews, G Sandy, A Wheelhouse and A Wood

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



South Buckinghamshire Area Planning Committee minutes

Minutes of the meeting of the South Buckinghamshire Area Planning Committee held on Tuesday 22 August 2023 in Amersham Council Chamber, King George V House, King George V Road, Amersham HP6 5AW, commencing at 2.30 pm and concluding at 3.03 pm.

Members present

T Egleton, D Anthony, M Bracken, P Griffin, G Hollis, Dr W Matthews and A Wheelhouse

Others in attendance

K Allnutt, B Dadi, L Hornby, R Regan and B Robinson

Apologies

A Wood

Agenda Item

1 Declarations of Interest

2 Minutes

The minutes of the meeting held on 25 July 2023 were agreed as an accurate record.

3 PL/22/1114/FA - Farnham Park Playing Fields, Beaconsfield Road, Farnham Royal, Buckinghamshire, SL2 3BP

Retrospective application to erect a detached building to be used as a tournament control centre in connection with the existing BaseballSoftball UK complex.

This application was the subject of a site visit.

Members voted in favour of the motion to approve the application subject to the conditions as laid out in the officer's report.

It was proposed by Councillor T Egleton and seconded by Councillor G Hollis.

Resolved: that the application be approved subject to the Conditions laid out in the officer's report.

4 PL/23/0366/FA - Rowley Farm, Black Park Road, Wexham, Buckinghamshire, SL3 6DR

Dismantling and partial dismantling and reinstatement, by restoration and partial replacement, of agricultural buildings that are in an extremely poor and dangerous condition.

This application was the subject of a site visit.

Members voted in favour of the motion to approve the application subject to the addition of an Informative, as follows:

- The Planning Committee would like to remind the applicant of the significant importance of restoring the buildings, subject of this permission, in a timely manner and enabling them to be brought back into active use.

It was proposed by Councillor T Egleton and seconded by Councillor G Hollis.

Resolved: that the application be approved subject to an additional Informative as laid out above.

5 Date of Next Meeting

Tuesday 19 September 2023 at 2.30pm

6 Availability of Members Attending Site Visits (if required)



Buckinghamshire Council

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Report to South Area Planning Committee

Application Number:	PL/23/0004/FA
Proposal:	The construction of two outdoor all weather floodlit padel tennis courts.
Site location:	The South Buckinghamshire Golf Course Park Road Stoke Poges Buckinghamshire SL2 4PJ
Applicant:	UK Padel Limited
Case Officer:	Mr Graham Mansfield
Ward affected:	Stoke Poges & Wexham
Parish-Town Council:	Stoke Poges Parish Council
Valid date:	3 January 2023
Determination date:	20 March 2023 (Extended Date: 22 September 2023)
Recommendation:	Conditional Permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application proposes the construction of two floodlit Padel Tennis courts within the confines of the existing South Buckinghamshire Golf Club. The site is within the Green Belt where the provision of appropriate facilities for outdoor sport and outdoor recreation can be acceptable, provided they preserve openness and do not conflict with its purposes. In this case the proposal would complement the existing recreational use of the Golf Club. The proposed facilities are of a nature and scale that would preserve the openness of the Green Belt and would not conflict with its purposes.
- 1.2 The proposed development would not have a detrimental impact on the character of the area or the surrounding landscape. The additional trip generation could be accommodated within the local highway network, adequate parking is provided, and the development would not have an adverse impact on the amenity of neighbouring properties. The application is therefore recommended for approval.
- 1.3 The planning application is being referred to the South Area Planning Committee as Buckinghamshire Council has an interest in the land, being the landowner.

1.4 Whilst Buckinghamshire Council has an interest in the land (subject of the application), the Council are the Local Planning Authority with responsibility for regulating the development of land. Members will be aware of the need to consider planning applications under the legislative framework, in coming to a decision on the proposals and to only determine the proposals on the basis of the relevant planning issues.

1.5 Recommendation – Conditional Permission

2.0 Description of Proposed Development

2.1 The application proposes the construction of two flood lit Padel Tennis Courts.

2.2 The Padel Tennis Courts would be located to the south of the existing upper car park at a distance of approx. 12.0m and 40m from the existing Golf Clubhouse building.

2.3 The Padel Tennis Courts would both measure 10m in width and 20m in length and separated by 2.5m pathway.

2.4 The proposed courts would be enclosed by a 3.0m high rigid panel wide mesh fencing (extending to 4.0m in each corner of the court), supplemented internally by toughened glass panels. The playing surfaces would consist of synthetic turf.

2.5 Each court would feature four lighting columns at a height of 6.0m.

2.6 The proposed development would also include additional planting to the boundary of the Padel Tennis courts and within the wider golf course site to ensure Biodiversity Net Gains.

2.7 In terms of the wider application site, the Council owned South Buckinghamshire Golf Course is located on the northern side of Park Road within the Parish of Stoke Poges.

2.8 The main clubhouse is situated approx. 150m from the main highway and is served by two car parks, one at the lower end of the site adjacent to Park Road and an upper car park adjacent to the clubhouse.

2.9 The site of the proposed Padel Tennis courts consists of an area of land located between the lower and upper car parks. The site area which has recently been cleared consisted of young trees within an area designated a priority habitat.

2.10 The remainder of the site is surrounded by mature trees and landscaping. None of the surrounding trees are subject of a tree preservation order.

2.11 The closest residential properties to the site are the Tithe Farm Nursing Home which lies approx. 125m to the west and the 'The Lodge' which lies approx. 76m to the south west.

2.12 The application is accompanied by:

- a) Proposed site plan and elevations
- b) Lighting Plans
- c) Tree Report and constraints plans

2.13 Amended and additional plans were received during the course of the application in relation to a parking statement, updated biodiversity information and an amended tree survey.

3.0 Relevant Planning History

3.1 The site has a long planning history. The most recent planning permissions on the golf club site are listed as follows:

- 09/00471/FUL - Construction of new golf course facilities including clubhouse and greenkeepers building with ancillary car parking. Access off Parsonage Lane for greenkeepers maintenance vehicles: Conditional Permission
- 12/00532/FUL - Construction of new golf course facilities including clubhouse and greenkeepers building with ancillary car parking. Access off Parsonage Lane for greenkeepers maintenance vehicles (Amendment to that approved under Planning Permission 09/00471/FUL): Conditional Permission

4.0 Summary of Representations

- 4.1 Stoke Poges made representations to the proposal during the course of the application. The comments are summarised as follows:
- No objection to Courts in principle
 - Object to flood lights in the Green Belt.
- 4.2 All representations received from the statutory consultees, non-statutory consultees and other interested groups and organisations are set out in Appendix A of the Committee Report.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), February 2021.
- Planning Practice Guidance
- National Design Guidance, 2021
- South Bucks Core Strategy Development Plan Document - Adopted February 2011
- South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011;
- South Bucks District Local Plan Appendix 5 (Conservation Areas)
- South Bucks District Local Plan Appendix 6 (Parking standards)
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule
- Buckinghamshire Countywide Parking Guidance -2015
- Buckinghamshire Council Biodiversity Net Gain SPD - 2022

Principle and Location of Development

Core Strategy Policies:

CP5 (Open Space, Sport and Recreation)

Local Plan Saved Policies:

GB1 (Green Belt boundaries and the control over development in the Green Belt)

- 5.1 Within the Green Belt, new development is considered to be inappropriate with the exception of some limited specified forms of development. Inappropriate development is harmful to the Green Belt and should not be permitted except in very special circumstances.
- 5.2 The NPPF states that the provision of appropriate facilities for outdoor sports and recreation are not inappropriate as long as such facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. In accordance with the NPPF in this regard, Local Plan Policy GB1 allows for essential facilities for outdoor sport, outdoor recreation or outdoor leisure. In this instance, the proposal does relate to the provision of appropriate facilities for outdoor sports and recreation and so, the proposal could be acceptable in principle, provided there is no conflict with the openness of the Green Belt.

- 5.3 The supporting text of Core Policy 5 of the Core Strategy highlights that open spaces, sports and recreational facilities are vital for enhancing people's quality of life and for promoting healthy living and social inclusion. This is also echoed in para. 92 of the NPPF which supports the need for healthy lifestyles through the provision of accessible sports facilities.
- 5.4 In addition to the above, there should be compliance with all other relevant Development Plan policies.

Green Belt

Local Plan Saved Policies:

GB1 (Green Belt boundaries and the control over development in the Green Belt)

R8 (Floodlighting)

- 5.5 The site lies in the Green Belt where development is strictly controlled. Policy GB1 sets out the types of development that may be permitted in the Green Belt and these include: (b) essential facilities for outdoor sport, outdoor recreation or outdoor leisure, in accordance with the policies in Chapter 7 of this plan (Leisure, Recreation and Tourism); (g) other uses of land and essential facilities for them which would not compromise the purposes of including land in the Green Belt and which would permanently retain its open and undeveloped character.
- 5.6 The policy goes to state that such development will only be permitted where it would not adversely affect the character or amenities of the Green Belt, nearby properties or the locality in general and would be in accordance with policy EP3.
- 5.7 The NPPF contains the most up to date national policy. Para. 137 states that the Government attaches great importance to the Green Belt and that the fundamental aim is to prevent urban sprawl by keeping land permanently open. The essential characteristics are its openness and permanence.
- 5.8 Para. 147 states that inappropriate development is by definition harmful to the Green Belt and should not be allowed except in very special circumstances. Para. 149 sets out that new buildings will be considered inappropriate, subject to a number of exceptions. This includes the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries, and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- 5.9 Para. 150 also states that certain other forms of development are also not inappropriate development provided they preserve openness and do not conflict with purposes. These include engineering operations and material change of use of land.
- 5.10 Thus, in order to determine whether or not the proposal would be inappropriate development in the Green Belt, its impact on openness and Green Belt purposes has to be assessed. Policy GB1 is not entirely consistent with this approach in the NPPF as it does not set out the above tests; however, the types of development that may be permitted broadly accord with the exceptions set out in NPPF para. 149. The other 'tests' relating to impact on Green Belt character and amenities (as opposed to openness and purposes) and the amenities of nearby properties and the locality in general are not related to inappropriateness but are relevant matters to be considered as part of the overall assessment and will be dealt with below.

- 5.11 In terms of the proposed Padel Tennis courts, they would be located adjacent to existing built form within the overall site including the car parks and clubhouse. The courts would themselves have any impact on openness, however the proposed walls/fencing would. In order to mitigate against their impact on the open Green Belt and alongside the rural surroundings, the surround of the courts would comprise of 3-metre high toughened glass. The use of glass and mesh would reduce the visual impact of the proposal in the open Green Belt by permitting views through. The glass surrounding walls are required in connection with the sporting use on site and they are considered to have been appropriately designed and scaled given their intended use. They are not considered to be overlarge or unduly harmful to the Green Belt setting.
- 5.12 Each court would also be served by four floodlights of a height of 6 metres. Whilst the lighting columns would have some impact on openness, they have been designed so that they are sleek with modest sized light fittings. The lights would be down-facing, helping to reduce light spillage and visual intrusion into the surrounding Green Belt. These factors mean that the impact on the Green Belt would be acceptable. Officers also note that the existing site (specifically the adjacent car park area) is already served by lighting on similar styled columns. Considering the existing site circumstances, the proposed lighting columns would not be unduly harmful to the openness of the Green Belt.
- 5.13 In addition, proposals for floodlights are specifically referred to in Policy R6 of the Local Plan which states that, in the Green Belt, proposals for floodlights will only be permitted where they would not adversely affect the character or amenities of nearby properties or the locality in general having regard to: (a) The impact of light, and (b) the appearance of the structures, and (c) the increased level of activity resulting from the lighting. Policy R6 goes on to say where floodlighting is permitted conditions will be imposed to ensure light does not unduly spill beyond the playing area and to restrict the times of illumination.
- 5.14 Impacts of the flood lights in terms of character and amenity are addressed further in the report below. However, in terms of the impact on the wider Green Belt, as highlighted above, due to the existing site circumstances, the proposed floodlights are considered to maintain the openness of the Green Belt. Similarly, due to the use of the wider site and the fact there are flood lights already serving the site, no objections could be reasonably raised in terms of their impact on the Green Belt in terms of visual impact and illumination.
- 5.15 In summary, the proposed Padel Tennis courts are considered to align with paragraph 149 b of the NPPF. In addition, the proposal would not be contrary to any of the purposes of the Green Belt as laid out in paragraph 138 of the NPPF. The proposal would be considered appropriate development within the Green Belt.

Transport matters and parking

Core Strategy Policies:

CP7 (Accessibility and transport)

Local Plan Saved Policies:

TR5 (Access, highways work and traffic generation) TR7 (Traffic generation)

- 5.16 The proposed Padel Tennis courts would not result in any changes to the existing vehicular access to the golf course site. It is anticipated that users of the court would share the access and parking facilities on the existing site.

- 5.17 The Council's Highway officer has reviewed the proposal and does not raise any issues in terms of highway safety impacts. It is considered that the vehicular trips associated with the proposal can be incorporated into the existing site and adjoining public highway without causing any safety or traffic impact concerns.
- 5.18 In terms of parking, no additional spaces would be created as part of the proposal. In line with the Buckinghamshire Car Parking Guidance two spaces per court would be required. The existing car park at South Buckinghamshire Golf Club has a capacity of 126 spaces with the maximum numbers of golfers on site amounting to 116 spaces. Based on this it is considered that the existing car parking capacity would be satisfactory in terms of supporting the development. Council Highway officers do not raise any objections in relation to parking. A condition is recommended should planning permission be forthcoming in relation to a construction traffic management plan.

Raising the quality of place making and design

Core Strategy Policies:

CP8 (Built and historic environment)

Local Plan Saved Policies:

EP3 (The Use, Design and Layout of Development) EP4
(Landscaping)

EP6 (Designing to Reduce Crime)

- 5.19 The proposed Padel Tennis courts would be of a functional design appropriate for their use and would include boundary fencing and an artificial playing surface. In addition, each court would be served by four floodlights.
- 5.20 Officers consider that in the context of the wider site as a sports facility, the proposed development would not appear incongruous in terms of character and appearance.
- 5.21 Notwithstanding the above, the proposed Padel Tennis courts would be set back within the site and would not be prominent within the streetscene when viewed from Park Road.
- 5.22 The application site is located adjacent to two heritage assets. The boundary of the Stoke Park Conservation Area is located opposite the golf course on the south side of Park Road. In addition, Tithe Farm Nursing Home (to the south west) is a Grade II listed building. Due to the separation distance of 85m and 100m respectively, it is considered that no undue harm would occur as a result of the proposed Padel courts on the setting of these identified heritage assets.
- 5.23 In terms of the proposed floodlighting columns. Officers note that there are existing lighting columns within the parking area of the golf club. It is considered that the columns in association with the Padel Tennis courts would not appear out of character.

Amenity of existing and future residents

Local Plan Saved Policies:

EP3 (The use, design and layout of development) EP5 (Sunlight
and daylight)

R8 (Floodlighting)

- 5.24 The proposed Padel Tennis courts would be located sufficiently away from residential properties. The closest residential dwellings being located 76m away (The Lodge) and 125m away (Tithe Farm Nursing Home). Due to the separation distances and the use of the wider site as a sports facility, it is considered that no unacceptable impacts in terms of noise and general disturbance would result.

- 5.25 As previously highlighted, each court would be served by four floodlights. However, these would be located away from residential properties. Supporting information demonstrates that there would be little light spill beyond the playing courts and the proposed flood lighting would be angled inwards towards the playing courts. It would be recommended that a planning condition be attached to ensure appropriate switch off times.
- 5.26 In summary, it is considered that the proposed Padel Tennis courts would not give rise to any unacceptable impacts in terms of residential amenity.

Ecology & Trees

Core Strategy Policies:

CP9 (Natural environment)

CP13 (Environmental and resource management). EP4

(Landscaping)

L10 (Proposals involving felling or other works affecting trees covered by a Tree Preservation Order)

- 5.27 The site is not subject to any tree preservation orders. However, a number of trees have been removed to allow space for the proposed development. In addition, it is anticipated that further tree removals would be required to facilitate access to the courts, including the perimeters. A total of 15 trees would require removal (these are broken down as x4 category U, x9 category C and x2 category B).
- 5.28 The Council's Tree officer has questioned the need to remove some of the trees identified (T8 to T12) and would require clarification on a replanting scheme. On balance, officers consider that the tree loss would not substantiate a reason for refusal on this matter alone, as it is noted that a comprehensive replanting scheme would be proposed as part of the scheme. This is addressed as part of the Ecology matters as follows.
- 5.29 As highlighted above, a number of trees have been removed to facilitate the Padel Tennis courts. The subject land within the golf course site is designated as a Habitat of Principle Importance by Section 41 of the Natural Environment and Rural Communities Act. The Padel Tennis court would be located in an area designated as Principle Habitat of Deciduous Woodland.
- 5.30 During the course of the application the applicant has worked with the Council Ecology Officers to produce a scheme to off-set the harm that the proposal would have on the priority habitat. In addition, it is required that the development should achieve net gains in biodiversity in line with paragraph 179b of the NPPF.
- 5.31 The biodiversity mitigation and net gain scheme has identified a number of areas within the wider golf club site which would provide opportunities for planting habitat rich species. As a result, a scheme of tree planting would ensure satisfactory off-setting for the loss of existing trees and would result in net gain for biodiversity across the site. In total it is anticipated that there would be a net gain of approx. 67.6%. This would meet policy requirements and would align with the guidance set out in the Council's adopted Biodiversity Net gain Supplementary Planning Document SPD.
- 5.32 In terms of protected species, mitigation reports and measures have been submitted in relation to Great Crested Newts (GCN), due to the presence of a number of ponds within the wider golf club site. Ecology officers have reviewed the information and are satisfied that this can be controlled by planning condition.

- 5.33 The proposed flood lighting has the potential to impact on bats within the area. In order to mitigate the impact of light on bats it has been agreed that the applicant would be required to adhere to switch-off points for the lighting. This can be controlled by planning condition.
- 5.34 In summary, the proposed development would provide satisfactory mitigation and enhancements in relation to trees and biodiversity.

Flooding and drainage

Core Strategy Policies:

CP13 (Environmental and resource management)

- 5.35 The site is not located in any areas at risk of flooding in terms of fluvial or surface water. An informative would be added to the permission to ensure hard surfacing consists of permeable surfaces. Supporting documents highlight that the use of soakaways would be incorporated as part of the proposal in order to deal with surface run-off.

6.0 Weighing and balancing of issues / Overall Assessment

- 6.1 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.
- 6.2 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
- 6.3 As set out above it is considered that the proposed development would accord with the relevant development plan policies.
- 6.4 Local Planning Authorities, when making decisions, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.
- 6.5 As such, it is considered that it would be fair and reasonable for planning permission to be granted in this instance.

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, further information was submitted by the applicant to address concerns relating to biodiversity impacts of the proposal.

8.0 Recommendation: Conditional Permission

Subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice.
Reason: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990. (SS01A)
2. The exterior of the development hereby permitted shall only be constructed in the materials specified on the plans hereby approved and the submitted application form.
Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality.
3. The floodlights lights hereby permitted shall not be illuminated except between the hours of:
 - 8.00 and 22:00 daily within the months of November, December, January and February
 - 8.00 and 18:30 GMT/ BST: 19:30 daily within the month of March
 - 8.00 and 20:30 daily within the month of April
 - 8.00 and 21:15 daily within the month of May
 - 8.00 and 21:45 daily within the month of June
 - 8.00 and 21:30 daily within the month of July
 - 8.00 and 20:45 daily within the month of August
 - 8.00 and 19:45 daily within the month of September
 - 8.00 and 18:45 BST/ 17:45 GMT daily within the month of October the flood lights shall not operate outside these hours.Reason: In the interests of residential amenity and biodiversity in accordance with NPPF, Core Policy 9 of the South Bucks District Core Strategy (2011) and Local plan Policy EP3 of the South Bucks District Local Plan (1999)
4. The floodlights hereby approved shall be erected and maintained in accordance with the details set out in the Lighting Design Document P.A. 03 R2 dated 16.12.2022.
Reason: In the interests of residential amenity and biodiversity in accordance with NPPF, Core Policy 9 of the South Bucks District Core Strategy (2011) and Local plan Policy EP3 of the South Bucks District Local Plan (1999)
5. The development shall be implemented in accordance with the agreed mitigation plan (Non licensed method statement for Great Crested Newts, South Bucks Golf Course, Sylvatica, August 2023). Any variation to the agreed plan shall be agreed in writing with the local planning authority before such change is made. The condition will be considered discharged following; a written statement from the ecologist acting for the developer testifying to the plan having been implemented correctly.
Reason: In the interests of improving biodiversity in accordance with NPPF and Core Policy 9 of the South Bucks District Core Strategy.
6. No development shall take place (including demolition, ground works, vegetation clearance) unless and until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The content of the LEMP shall include the following:
 - a) Description and evaluation of features to be managed, including bat and bird boxes,

reptile hibernaculum.

- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management which will (without limitation) include the provision of biodiversity net gain within the site as shown within the Biodiversity Gain Plan
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions, including creation of woodland buffer.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall be for no less than 30 years. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of improving biodiversity in accordance with NPPF and Core Policy 9 of the South Bucks District Core Strategy.

- 7. The development shall be implemented in accordance with the arboricultural method statement submitted and approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the phasing of the development accords with the stages detailed in the method statement and that the correct materials and techniques are employed. (ST18)

Reason: To maintain the visual amenity of the area. (Policies EP4 and L10 of the South Bucks District Local Plan (adopted March 1999) refer.)

- 8. Prior to the commencement of any works on the site, a Construction Traffic Management Plan detailing the management of construction traffic (including vehicle types, frequency of visits, expected daily time frames, use of a banksman, on-site loading/unloading arrangements and parking of site operatives vehicles) shall be submitted and approved in writing by the Planning Authority in consultation with the Highway Authority. Thereafter, the development shall be carried out in accordance with such approved management plan.

Reason: This is a pre-commencement condition as development cannot be allowed to take place, which in the opinion of the Highway Authority, could cause danger, obstruction and inconvenience to users of the highway and of the development.

9. The development to which this planning permission relates shall be undertaken solely in accordance with the following drawings:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
3 Jan 2023	2022 CAS 047 010 Rev A
3 Jan 2023	2022 CAS 047 011
3 Jan 2023	2022 CAS 047 013
3 Jan 2023	2022 CAS 047 015
3 Jan 2023	2022 CAS 047 016
4 Sep 2023	2022 CAS 047 017

INFORMATIVE(S)

1. 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 defense 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 Appendix

Appendix B: Site Location plan

APPENDIX A: Consultation Responses and Representations

Councillor Comments

None received at the time of drafting the report.

Stoke Poges Parish Council Comments

No objection to the courts in principal however we object to the floodlights with the Green belt and if minded to approve conditions should be attached. Policies R8 (a), (b) & (c) and C9 apply.

Consultation Responses

Tree Officer dated 10th March 2023

Following our site visit and discussions on site with the applicant I have reviewed the current proposals and have the following comments:

- Layout drawing 022 CAS 047 013 still illustrates the removal of all trees adjacent to the car park when during discussions it was agreed that oak trees T5, T6, T8 – T12 could be retained as the car park would be used for storage area and site office. The only tree that required removal if required was T7 hawthorn because of proposed footpath to facility.
- Tree Protection Plan (6 March 2023) illustrates the oak trees mentioned above. This plan also illustrates the removal of T19 -T21 as discussed and agreed on site with appropriate semi-mature replacement trees which are indicated on the plan (no details on size/species).
- AIA by Bartlett (6 March 2023) table 3 clarifies oak trees T8 – T12 are to be removed and hawthorn T7. As outlined I thought it was agreed that these trees could be retained on site even if picnic table/seating area was going to be situated in this part of the site. T19 -T21 are shown to be removed as well as other oak trees T18,T22, T23 which were also originally shown to be removed and agreed on site. T24 oak is now shown as being retained. In summary clarification is required why T8 – T12 are now being proposed to be removed when it was agreed on site these could be retained.

Clarification is required on the agreed replacement semi-mature oaks with details of species and size specification which could be confirmed as part of an agreed landscape scheme.

Highways Officer dated 12th April 2023

Park Road is classified as the B416 and in this location is subject to a speed restriction of 40mph. Proposals include the provision of two outdoor all-weather tennis courts.

In terms of trip generation, having interrogated the TRICS(R) (Trip Rate Information Computer System) database, I consider that a tennis court in this location would have the potential to generate in the region of 22 vehicular movements per court, per day. As this is the case, the development as a whole would have the potential to generate in the region of 44 vehicular movements (two-way) per day. Whilst I am confident that this level of vehicular movements can be accommodated onto the Local Highway Network in the vicinity of the site, the access arrangements serving the site will need to be assessed in order to determine its suitability to accommodate the level of vehicular movements anticipated.

As Park Road is subject to a speed restriction of 40mph, visibility splays of 2.4m x 80m are applicable, commensurate with current Manual for Streets guidance. Having reviewed the submitted plans and correlated with a plan showing the extent of the publicly maintained highway in this location, I can confirm that these splays are achievable from the proposed access point.

In terms of parking provision, I note that the Buckinghamshire Countywide Parking Guidance (BCPG) states that in this location, 2 parking spaces per court would be required. There would be no increase in parking provision as a result of the proposals, and as such the site would be reliant on the existing parking provision of 126 spaces. Whilst the BCPG does not have specific standards in relation to golf courses, the applicant has provided information as the maximum number of golfers on the course at any one time (116), which, if every visitor to the site drove their own vehicle, would result in 116 vehicles on site at any one time, and 10 spaces being available for users of the golf course. In reality, this number of spaces is unlikely to be reached. Further to this, there is also an overflow parking area on site (40 spaces) should the car park reach capacity. As this is the case, I do not consider that the proposals would have a detrimental effect on highway safety and convenience.

Mindful of the above, I have no objection to the proposals, subject to a construction traffic management plan condition being included on any planning consent that you may grant.

Great Crested Newt Officer: received 8th August 2023

No Objection subject to condition regarding the provision of a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs)/Non-Licensed Method Statement (NLMS) strategy documents.

The applicant has provided a non-licensed method statement for great crested newts. We are satisfied with the provided document and provide a compliance condition to ensure it is adhered to.

Ecology Officer:

No Objection, subject to conditions

Sports England: received 20 January 2023

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par.

003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case.

Representations

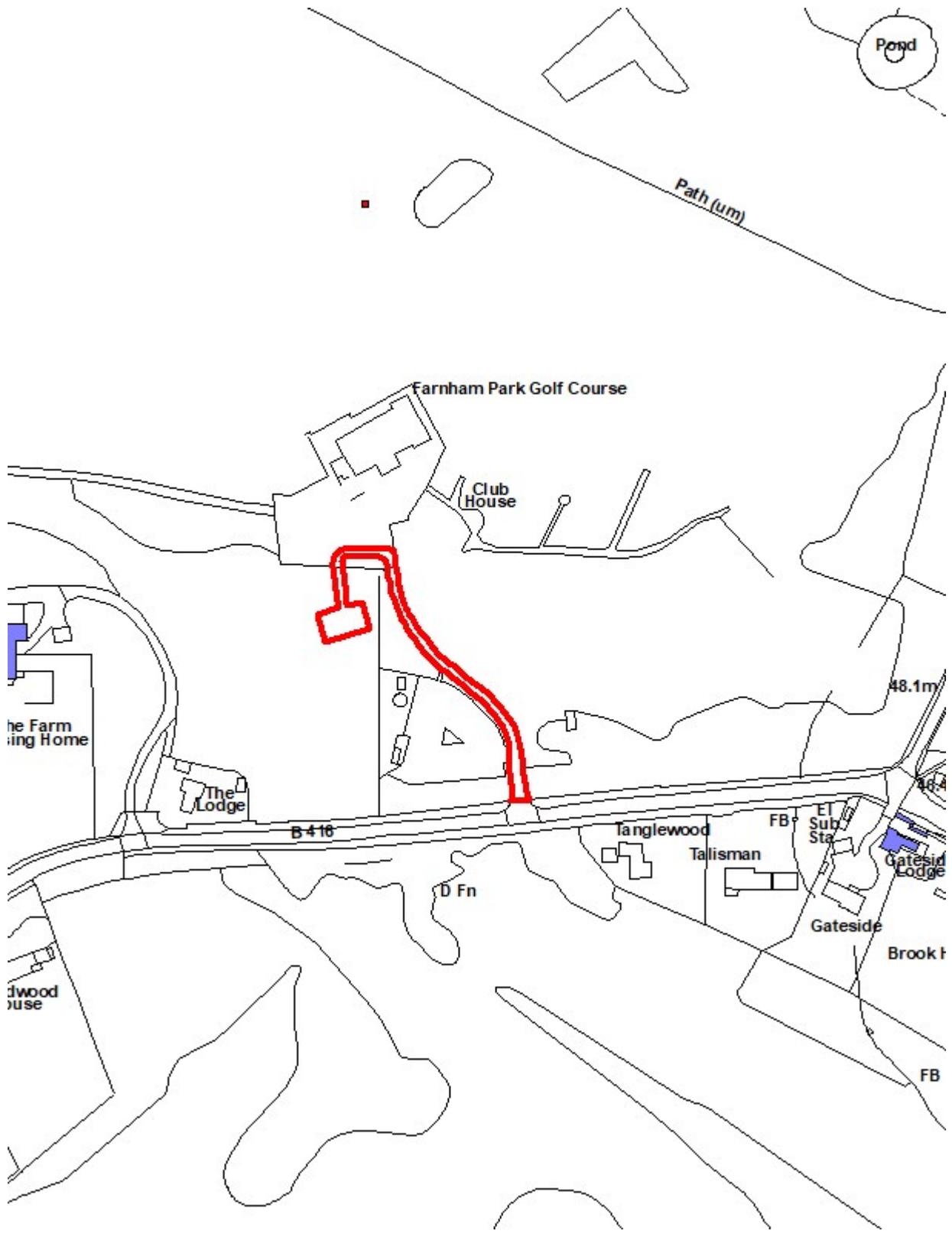
1 comment has been received supporting and this is summarised as:

- reference to acts of parliament which would permit the use of the subject land for recreational purposes
- proposal would not be detrimental to heritage assets
- opportunities for local people to participate in padel tennis health benefits
- good for the business of the golf clubhouse

No comments have been received objecting to the proposal.

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APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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Buckinghamshire Council

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Report to South Area Planning Committee

Application Number:	PL/23/0527/VRC
Proposal:	Variation of condition 1 (Operating hours) of planning permission PL/20/3842/FA (Retrospective permission to change site use to mix use (Sui Generis) to comprise storage or distribution (Use Class B8), offices (Use Class E (g)(i)) and light industrial (Use Class E (g)(iii))) to allow for an extension to operating hours.
Site location:	Church Farm Church Road Iver Heath Buckinghamshire SLO ORA
Applicant:	Ms Jo Essex
Case Officer:	Alex Armour
Ward affected:	Iver
Parish-Town Council:	Iver Parish Council
Valid date:	16 February 2023
Determination date:	19 September 2023
Recommendation:	Conditional permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application seeks to vary Condition 1 of Planning Permission PL/20/3842/FA to allow for an extension to the approved operating hours of the site.
- 1.2 The application is required to be determined by Planning Committee due to a three-member call-in by Cllrs Griffin, Wood and Sullivan. Material planning reasons were cited relating to the impact upon neighbouring amenities.
- 1.3 The recommendation is that permission is granted subject to condition.

2.0 Description of Proposed Development

- 2.1 The application site is located to the west of Church Road in Iver Heath. The immediate area is predominately residential, with a verdant feel emphasised by generous spacing between properties and tree lined front boundaries.

A range of businesses operate from within the application site, with activities mostly taking place from four separate buildings, located to the rear of the plot. Access to the site is secured through a gated entrance, set back from the road.

- 2.2 The application follows planning permission PL/20/3842/FA for 'retrospective permission to change site use to mix use (Sui Generis) to comprise storage or distribution (Use Class B8), offices (Use Class E (g)(i)) and light industrial (Use Class E (g)(iii))', and seeks to vary Condition 1 of the permission to allow for an extension of opening hours for the B8 use to 07.00am and 19.00pm Monday to Friday, and 08.00am and 13.00pm on Saturdays, no time Sundays or Bank Holidays.
- 2.3 Condition 1 of PL/20/3842/FA states that; any activities associated with the site use hereby approved shall only take place between the hours of 8:00am and 17:00pm on Monday to Friday and at no time on Saturday, Sunday or Bank Holidays. No personnel or customers shall be on site outside of these times.
- 2.4 The previous lawful use of the site was as a paper conversion business, including storage and distribution of paper, manufacture, machining and re-use of paper.
- 2.5 The application is accompanied by:
 - a) Covering letter
 - b) Consolidated Noise Assessment (09/06/23) superseding Noise Assessment (16/02/23).

3.0 Relevant Planning History

82/00909/APPLIC - Construction of two tennis courts. – Refused Permission.

82/00545/APPLIC - Construction of three tennis courts. – Refused Permission.

02/00872/EUC - Application for a certificate of lawfulness for: An existing use of land and buildings for paper conversion business, including storage and distribution of paper, manufacture, machining and re-use of paper. – Certificate Granted.

05/00515/FUL - Replacement storage building. – Conditional Permission 06/01670/FUL - Replacement storage building. – Refused Permission.

07/00457/FUL - Replacement storage building. – Conditional Permission.

PL/20/3842/FA - Retrospective permission to change site use to mix use (Sui Generis) to comprise storage or distribution (Use Class B8), offices (Use Class E (g)(i)) and light industrial (Use Class E (g)(iii)). – Conditional Permission.

4.0 Summary of Representations

- 4.1 Five letters of support were received from neighbouring residents and an occupier of the site.
- 4.2 No objections were received in the representations received.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guidance, October 2019
- South Bucks Core Strategy Development Plan Document - Adopted February 2011
- South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011
- South Bucks District Local Plan Appendix 2 (Parking standards)

- Chiltern and South Bucks Townscape Character Study 2017
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule.

Principle and Location of Development

Core Strategy Policies: CP10 (Employment)

Local Plan Saved Policies:

GB1 (Green Belt boundaries and the control over development in the Green Belt)

GB2 (Re-use of buildings in the Green Belt)

GB3 (Residential infilling in Green Belt settlements)

GB4 (Employment generating and commercial development in the Green Belt (excluding Green Belt settlements))

- 5.1 This application is submitted under Section 73 of The Town and Country Planning Act 1990 and seeks a variation of Condition 1 of planning permission PL/20/3842/FA. Applications made under Section 73 must be considered against the Development Plan and any other material considerations, under Section 38(6) of the 2004 Act, and conditions attached to the existing permission. The NPPG also states that "local planning authorities should, in making their decisions, focus their attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission".
- 5.2 The application follows a recently granted permission, reference PL/20/3842/FA, and the application seeks to vary Condition 1 of the previous permission to allow for an extension of operating hours. As such the principle of development is acceptable.

Principle of development in the Green Belt

Local Plan Saved Policies:

GB1 (Green Belt boundaries and the control over development in the Green Belt)

GB2 (Re-use of buildings in the Green Belt)

GB3 (Residential infilling in Green Belt settlements)

GB4 (Employment generating and commercial development in the Green Belt (excluding Green Belt settlements))

GB5 (Employment generating and commercial development in Green Belt settlements)

- 5.3 The application site is located within the Metropolitan Green Belt. Proposals within the Green Belt are assessed against the guidance set out in Section 13 of the NPPF in addition to the Councils own Green Belt Policies. There is a strong presumption against inappropriate development in the Green Belt, as advised by the NPPF. Inappropriate development is, by definition, harmful to the Green Belt and afforded substantial weight. If the development is considered inappropriate development a case of special circumstances can be demonstrated which may outweigh this harm and justify approval.
- 5.4 Paragraph 150 of the NPPF states that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. This includes the re- use of buildings provided that the buildings are of permanent and substantial construction. This exception outlined in national policy is supported by local policy, including Policy GB1 of South Bucks District Local Plan (1999) which outlines that change in use of existing buildings or land in the greenbelt will be granted planning permission. Policy GB2 of the South Bucks District Local Plan (1999) addresses re-use of existing buildings in the Green Belt specifically. This policy elaborates that re-use of buildings would be acceptable subject to a number of criteria. Policy GB4 of the South Bucks District Local Plan (1999) also supports this policy criteria.
- 5.5 Therefore, as the proposal comprises the re-use of existing buildings on site, with no

additional built form proposed, it is considered appropriate development in the Green Belt. Thereby, the main issues to consider in terms of Green Belt policy are the effect on the openness of the Green Belt and impact to purposes of the Green Belt.

- 5.6 The Planning Practice Guidance (Green Belt) states that the courts have identified a number of matters which may need to be taken into account in assessing openness. These include, but are not limited to: openness is capable of having both spatial and visual aspects - in other words, the visual impact of the proposal may be relevant, as could its volume; the duration of the development, and its remediability - taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and the degree of activity likely to be generated, such as traffic generation.
- 5.7 No additional built form is proposed as part of this variation of condition application. The Council's Highways Team were consulted on the previous application and stated that:
- 'given that the buildings on site are not being increased in size, which would allow any additional movements outside of what is already permitted, it is not considered that the proposals would result in an intensification in use nor would the proposals change the nature of vehicles associated with the site'.
- 5.8 The previous application stated no restrictions of operating hours which were imposed as a condition due to insufficient information regarding potential noise levels and the impacts upon neighbouring residents. As such the comments from the Highways Team are considered relevant in addressing that there would be no significant intensification of the site's use. It is also relevant that the Highways Team have also raised no objection in this instance and that the previous use of the site was not subject to similar conditions.
- 5.9 As with the previous permission, no harm is identified to the purposes of the Green Belt. It is considered reasonable to impose a condition restricting outdoor storage within the site given the permitted storage use. As open storage has the potential to result in harm to the openness of the Green Belt and can become permanent in nature.
- 5.10 In summary, the proposed variation of condition is considered to comprise an appropriate form of development in the Green Belt which does not impact upon the openness or Purposes of the Green Belt function. The change in use is considered acceptable in the Green Belt, in accordance with relevant paragraphs in the NPPF and Policies GB1, GB2 and GB4 of the South Bucks District Local Plan (1999).

Transport matters and parking

Core Strategy Policies:

CP7 (Accessibility and transport)

Local Plan Saved Policies:

TR5 (Access, highways work and traffic generation) TR7 (Traffic generation)

TR10 (Heavy goods vehicles)

The Ivers Neighbourhood Plan 2021-2040 Policy IV8: Managing Traffic

Policy IV9: Reducing Heavy Goods Vehicles

- 5.11 The NPPF states that applications for development should take into account appropriate opportunities to promote sustainable transport modes, safe and suitable access to the site and any significant impacts of the development on the transport network.
- 5.12 Policies CP7 of the Core Strategy (2013) and TR5 of the South Bucks Local Plan (1999) sets out the local transport requirements. Policy TR10 of the South Bucks Local Plan (1999) refers to the assessment of development which is likely to generate heavy goods vehicle trips. This necessitates that new development must have regard to their effect on safety, congestion and the environment. Page 24

- 5.13 The Ivers Neighbourhood Plan has also been made since the granting of the previous permission.
- 5.14 Neighbourhood Plan Policy IV8 sets out that any development proposal that will generate an increase in traffic in the Richings Park, Thorney, Shreding Green, Wood Lane, Iver Village, Iver Lane and Iver Heath areas will be required to contribute to public realm improvements and traffic mitigation measures provided they directly relate to the impact of the proposed development. It will have to be demonstrated that the measures are necessary to make the development acceptable in planning terms, that they are directly related to the development and that they are fairly and reasonably related in scale and kind to the development.
- 5.15 Neighbourhood Plan Policy IV9 states that proposals for the development of new businesses, or for the intensification of existing businesses, that will lead to an increase in HGV that would have an unacceptable impact on highway safety, or which would result in a severe cumulative impact on the road network movements will not be supported.
- 5.16 As set out within the Green Belt section of this report, the proposed change to the hours of operation was not considered to result in an increase to vehicular movements beyond the previous lawful use of the site, which was unrestricted. As such in this instance there would also be not an increase in HGV movements which would have an unacceptable impact on highway safety or give rise to a need for public realm improvements and traffic mitigation measures necessary to make the development acceptable in planning terms.
- 5.17 The levels of parking provision were also previously found acceptable under the previous application and no change is proposed.
- 5.18 As such the proposed development would comply with the transport provisions of the NPPF, Core Policy 7, Local Plan Policies TR5 and TR10, and the Neighbourhood Plan Policies IV8 and IV9.

Raising the quality of place making and design

Core Strategy Policies:

CP8 (Built and historic environment)

Local Plan Saved Policies:

EP3 (The Use, Design and Layout of Development) EP4 (Landscaping)

EP6 (Designing to Reduce Crime)

The Ivers Neighbourhood Plan 2021-2040 Policy IV2: Design in Iver Heath

- 5.19 The NPPF sets out Core Planning principles for the operation of the planning system. One of the principles set out is that authorities should always seek to secure high quality design.
- 5.20 C1 of the National Design Guide places important on local identity, stating that well-designed new development should respond positively to the features of the site itself and the surrounding context beyond the site boundary. New development should integrate well with the wider surroundings including an understanding of existing built form and layout within the local area.
- 5.21 Local Plan policy EP3 states that development will only be permitted where its scale, layout, siting, height, design, external materials and uses are compatible with the character and amenities of the site itself, adjoining development and the locality in general. Poor designs which are out of scale or character with the surroundings will not be permitted.

- 5.22 Neighbourhood Plan Policy IV2 relates to design in Iver Heath. The Policy identifies a

number of prominent buildings within the area and an Area of Special Character which do not include the application site and are located a distance away. IV2 also requires that regard is given to the Townscape Character Principles however, the site is not included within a Townscape Character Area. IV2 also requires that development preserves the design features considered essential to the significance of the village character including the layout of the area and the presence of landscaping features.

- 5.23 The proposed variation proposes no additional built form as such there would be no significant impact in terms of appearance, especially given that outdoor storage may be controlled by condition. Given that the previous lawful use of the site as a 'conversion business, including storage and distribution of paper, manufacture, machining and re-use of paper' was subject to no control over the hours of operation, the proposed increase to the hours of operation is not considered to be detrimental to the character of the area.
- 5.24 The proposed variation would not result in any loss of green landscaping. There would be no impact upon layout given that there is no proposed change to built form proposed.
- 5.25 The proposed variation is not considered to comply with the design provisions of the NPPF, C1 of the National Design Guide, Local Plan Policy EP3 and Neighbourhood Plan Policy IV2.

Amenity of existing and future residents

Local Plan Saved Policies:

EP3 (The use, design and layout of development) EP5 (Sunlight and daylight)

- 5.26 Local Plan Policy EP3 states that the use of land and buildings should be compatible with the uses of adjacent land and buildings. Permission will not be granted for uses which would be, or which would have the potential to be, detrimental to the character and amenities of nearby properties or the locality in general by reason of noise, vibration, smell, pollution, disturbance, visual intrusion, loss of privacy, the impact of traffic or other nuisance.
- 5.27 No additional built form is proposed as part of this variation which would give rise to an overbearing impact, loss of light or privacy.
- 5.28 It is recognised that the application seeks to vary Condition 1 of the previous planning permission in order to allow for an increase in operating hours, and that Condition 1 was previously imposed in order to protect the amenities of adjoining occupiers.
- 5.29 The site lies adjacent to a number of dwellings, in particular 1-3 Warren Lodge to the southwest and the Bungalow to the northeast. The dwellings at Warren Lodge lies approx. 17.5m from common boundary, the main dwelling at the Bungalow is also approx. 12.7m from the common boundary, though there also outbuildings closer to the site. As such it is necessary to consider the potential impacts of the development upon neighbouring amenities.
- 5.30 At the time of the previous granting of permission, a noise report had not been submitted and as such Condition 1 would have been reasonable as insufficient information was submitted to assess the potential impacts upon neighbouring amenities. In this instance a noise impact assessment has been submitted and concludes that the 'noise from the site at all residential receptor locations will result in a low impact during the extended hours of operation'. In addition, a noise management plan is included within the assessment which provides a scheme restricting certain noise generating activities on the site.
- 5.31 The assessment has been reviewed by the Council's Environmental Health Officers who

have considered that, subject to conditions restricting hours of delivery and compliance with the noise levels and noise management scheme stated within the report, the proposed extension of operating hours would not give rise to an unacceptable impact upon neighbouring occupiers. The applicants wish to allow the non-storage uses of the site to be unrestricted is noted, and officers consider that the use of the site for office use and administration would not result in harm to neighbouring amenities given the nature of these uses and the previous lawful use of the site.

- 5.32 It must also be noted that the proposed development follows the previous use of the site as a paper conversion business which included storage and distribution of paper, manufacture, machining and re-use of paper. The previous use of the site was unrestricted by condition, and as such the proposed development would still be more restricted than this previous lawful use.
- 5.33 It is noted that the Environmental Health Officer has recommended conditions relating to the use of internal lighting on the site. Given that the previous use of the site had no conditions controlling the hours of site operation or of the use of internal lighting inside the existing buildings, it is considered that such a condition would be unreasonable.
- 5.34 Therefore, the proposed development would comply with the provisions of Local Plan Policy EP3 with regards to neighbouring amenities.

Ecology

Core Strategy Policies:

CP9 (Natural environment)

CP13 (Environmental and resource management)

- 5.35 Paragraph 180 of the NPPF states that, among other things, planning permission should be refused if there is significant harm to biodiversity that cannot be avoided, mitigated, or compensated for.
- 5.36 Local Policy CP9 of the Bucks Core Strategy (2011) also stipulates that biodiversity is a key component of the urban environment, and new development can provide opportunities to create and enhance wildlife habitats.
- 5.37 The Council's Ecology and Tree Officers were consulted on the previous application and noted that as there were no changes proposed to the buildings on site (the roof spaces are not impacted) or to the existing parking area, there were no ecological concerns with the proposal. Given that the proposed variation relates only to a change of opening hours, there would be no harm to ecology or trees.

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 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 6.3 As set out above it is considered that the proposed development would accord with development plan policies, and the site's proposed development will make effective and efficient use of previously developed land. Taking all of the above into account it is considered that the proposal would provide for a sustainable form of development that meets the requirements of the NPPF and relevant Development Plan policies.

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 an amended Noise Impact Assessment was submitted to the Council.

Recommendation: Conditional Permission

Subject to the following conditions:

1. There shall be no activity on the site, other than for office use and administrative work within the retained buildings, outside of the hours of 07:00am and 19:00pm on Monday to Friday and outside of the hours of 08:00 and 13:00 on Saturdays, and on Sunday or Bank Holidays.
Reason: To protect the amenities of adjoining occupiers in accordance with Policy EP3 of the South Bucks District Local Plan (adopted March 1999).
2. The use of the site shall be in full compliance and adherence to the consolidating Technical Report: R9881-1 Rev 2, dated: 9th June 2023 and authored by 24 Acoustics), in maintaining the noise levels stated. These noise levels shall therefore, be maintained in perpetuity.
Reason: To protect the amenities of adjoining occupiers in accordance with Policy EP3 of the South Bucks District Local Plan (adopted March 1999).
3. All deliveries and collections to and from the site shall only be carried out between the following days and times:
Monday to Friday from 08.00 hours to 18.00 hours. Saturday from 08.00 hours to 13.00 hours
At no times on Sunday, Bank and Public Holiday.
Reason: To protect the amenities of adjoining occupiers in accordance with Policy EP3 of the South Bucks District Local Plan (adopted March 1999).

4. No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on this site at any time except within such buildings which have hereby been approved for storage use.

Reason: In order to protect the visual character of the area and to safeguard the openness of the Green Belt, in accordance with Policies GB1, GB2, GB4 and EP3 of the South Bucks District Local Plan (adopted March 1999).

5. The development to which this planning permission relates shall be undertaken solely in accordance with the following drawings:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
13 Nov 2020	20020-A-PL-001 Rev A
13 Nov 2020	20020-A-PL-100 Rev A

INFORMATIVE(S)

1. The Council is the Charging Authority for the Community Infrastructure Levy (CIL). CIL is a charge on development; it is tariff-based and enables local authorities to raise funds to pay for infrastructure.

If you have received a CIL Liability Notice, this Notice will set out the further requirements that need to be complied with.

If you have not received a CIL Liability Notice, the development may still be liable for CIL. Before development is commenced, for further information please refer to the following website <https://www.southbucks.gov.uk/CIL-implementation> or contact 01494 475679 or planning.cil.csb@buckinghamshire.gov.uk for more information.

2. The applicant is advised that, where possible, all internal lighting which is visible from outside the site boundaries should be switched off outside the hours of the operation in order to restrict potential nuisance to neighbouring occupiers.

Appendix A: Consultation Responses and Representations

Councillor Comments:

Councillor Griffin - I feel this needs to be reviewed at Committee and I recommend it be 'called in'. I see no valid reason why this: "To protect the amenities of adjoining occupiers in accordance with Policy EP3 of the South Bucks District Local Plan (adopted March 1999)" should be altered to the detriment of nearby residents.

Councillor Matthews - This needs to be called in as the impact on the residents of the local area needs to be considered. I confirm that I have no interest to declare in this application.

Councillor Sullivan - Operating hours were set previously to protect surrounding residents. I request this application is called in for committee scrutiny. I confirm I have no personal interests in this application.

Parish/Town Council Comments

The parish council object due to; noise impacting on neighbours; road safety concerns regarding HGVs entering and exiting the site. The parish council object to any extension of the existing operating hours as the area is residential and extended hours of operation and the nature of the activities is not in keeping with a residential area.

Consultation Responses

Environmental Health (11/07/23) - Following my recent comments dated of 07-06-2023 I would like to confirm that a new consolidating Technical Report: R9881-1 Rev 2, dated: 9th June 2023 and authored by 24 Acoustics, has been provided on 12th June 2023.

This new consolidating noise report reflects the previously submitted Technical Noise Report: R9881-1 Rev 1 Date: 16th February 2023 and the Technical Noise Report R9881-1 Rev 1 dated 16th February 2023. Thus, forming the new Technical Report: R9881-1 Rev 2 Date: 9th June 2023 authored by 24 Acoustics.

Based on the information provided by the applicant in the Technical Report: R9881-1 Rev 2 Date: 9th June 2023, the proposal to amend the current planning condition to extend the hours of (from 07.00 to 19.00 hours Monday to Friday) and working and Saturday from 08.00 hours to 13.00 hours would in principle be acceptable from the environmental health and I would not be raising objections. However, should planning permission be granted to this proposal and I would recommend imposing planning conditions. To minimise the potential detrimental impacts of noise and artificial lighting of the proposed development to a level of no observable effects upon the nearest sensitive receptors I would suggest the following planning conditions.

Environmental Health (08/08/23) - Following my recent comments dated of 07-06-2023, 11- 07-2023 and the conversation with Jonathan Jarman (the applicant or acting for the applicant) on 02-08-2023 I would like to confirm that should planning permission be granted to this proposal I would recommend planning conditions be imposed.

To minimise the potential detrimental impacts of noise and artificial lighting of the proposed development to a level of no observable effects upon the nearest sensitive receptors I would suggest the following planning conditions.

Highways (17/03/23) - This application seeks planning consent for the variation of condition 1, to allow for extended operating hours. Having reviewed the submitted plans I consider that the application does not propose an adverse effect on the highway. Mindful of the above, I have no objection to the variation of condition 1.

Representations

Amenity Societies/Residents Associations

None.

Other Representations

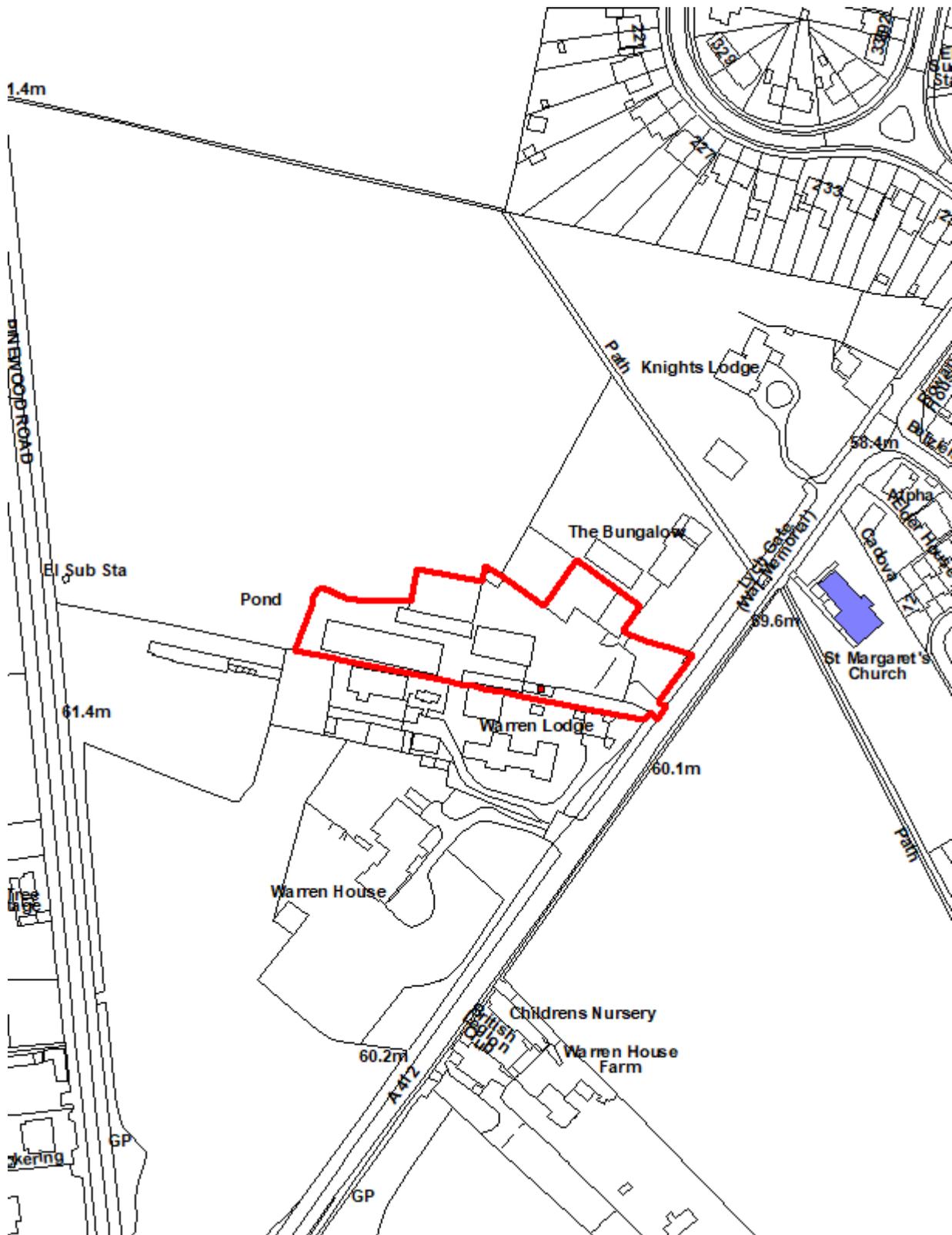
Five comments have been received supporting and simply commenting on the proposal

- Noting need for the business to expand and limited impact of existing business.

No comments have been received objecting to the proposal.

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APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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