



Report to South Area Planning Committee

Application Number:	PL/20/3519/FA
Proposal:	Erection of new dwelling for agricultural worker
Site Location:	Challen's Chick Farm, Marsh Lane, Taplow, Buckinghamshire, SL6 0DE
Applicant:	Mr Challen
Case Officer:	Vicki Burdett
Ward(s) affected:	Cliveden
Parish-Town Council:	Taplow Parish Council
Date valid application received:	20 October 2020
Statutory determination date:	19 February 2021
Recommendation	Delegate the application to the Director of Planning and Environment to GRANT planning permission subject to the conditions set out in this report and any others which he considers appropriate and the satisfactory prior completion of a Legal Agreement relating to mitigation of Burnham Beeches SAC. If the Legal Agreement cannot be completed the application be refused for such reasons as considered appropriate

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Permission is sought for the erection of a new agricultural workers dwelling.
- 1.2 Planning permission was granted at Planning Committee (reference: 17/02314/FUL) in July 2018 for the provision of a mobile home for a temporary period of three years to house an agricultural worker in connection with the applicant's hen laying enterprise. Having regard to the advice of the Council's Agricultural Consultant it was considered that the applicant had demonstrated that there was an essential need for a rural worker to live on site and that the granting of temporary permission would allow for the business to achieve financial viability and sustainability. The current application is considered to have demonstrated that there remains a need for a rural worker to live on site and that in the period since the temporary permission was granted the business has achieved financial viability and sustainability such that a new permanent dwelling is justified to meet the long term needs of the business.

- 1.3 Given the above, whilst the proposed agricultural workers dwelling amounts to inappropriate development in the Green Belt it is considered that the applicant has demonstrated very special circumstances sufficient to outweigh the harm to the Green Belt.
- 1.4 Cllr Sandy has called the application in to the Planning Committee based on the proposal being inappropriate development in the Green Belt, queries over the viability of the agricultural business and its impact on the landscape.
- 1.5 The recommendation for this application is to delegate the application to the Director of Planning and Environment to GRANT planning permission subject to the conditions set out in this report and any others which he considers appropriate and the satisfactory prior completion of a Legal Agreement relating to mitigation of Burnham Beeches SAC. If the Legal Agreement cannot be completed the application be refused for such reasons as considered appropriate.

2.0 Description of Proposed Development

- 2.1 Permission is sought for the erection of a permanent agricultural workers dwelling at Challen's Chick Farm, Marsh Lane, Taplow.
- 2.2 The application site is currently a hen laying enterprise; 'Challen's Chick Farm' covering approx. 10.64 acres (4.3 hectares) of pastureland, with the remaining land occupied by a series of mobile structures used in connection with the agricultural use.
- 2.3 The application site benefits from planning permission for an additional agricultural building to support the further diversification for the housing of quail and for the storage of machinery/tools/ packing materials used in connection with the existing business.
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- 2.5 The application site benefits from planning permission for an additional agricultural building to support the further diversification for the housing of quail and for the storage of machinery/tools/ packing materials used in connection with the existing business.
- 2.6 The application site benefits from planning permission for an additional agricultural building to support the further diversification for the housing of quail and for the storage of machinery/tools/ packing materials used in connection with the existing business.
- 2.7 The application is accompanied by:
 - a) Design and Access Statement
 - b) Waste and Recycling Strategy

3.0 Relevant Planning History

- 3.1 PL/20/0746/FA – Withdrawn – 24 September 2020 – Erection of new dwelling for agricultural worker
- 3.2 PL/18/3946/FA – Refused – Appeal Allowed – 18 January 2021 – Erection of agricultural barn
- 3.3 17/02314/FUL – Conditional Permission – 19 July 2018 – Provision of mobile home for a temporary period of three years to house an agricultural worker

4.0 Summary of Representations

- 4.1 5 neighbouring properties have objected to the proposed development. A summary of consultation responses and representations made on the application can be viewed in Appendix A.

5.0 Policy Considerations and Evaluation

National Planning Policy Framework (NPPF), February 2019.

Planning Practice Guidance

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 6 (Parking standards)

Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule
Burnham Beeches Special Area of Conservation (SAC) Mitigation Strategy, March 2020

Principle and Location of Development

Core Strategy Policies:

CP1 (Housing provision and delivery)

Local Plan Saved Policies:

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

GB9 (Agricultural diversification)

H2 (Housing allocation)

- 5.1 As aforementioned above, the site comprises an active chick farm which is sited off Marsh Lane, Taplow. The site lies within the Green Belt and the applicant is seeking to maintain a livestock farm, predominantly based around the laying hens and the sale of eggs based wholly on high welfare standards. The applicant has stated that the agricultural enterprise is viable, producing a high-quality end product that is sold and delivered directly to local consumers at a premium price.
- 5.2 By way of background, planning permission was granted at Planning Committee (reference: 17/02314/FUL) in July 2018 for the provision of a mobile home for a temporary period of three years to house an agricultural worker in connection with

the applicant's hen laying enterprise. Having regard to the advice of the Council's Agricultural Consultant it was considered that the applicant had demonstrated that there was an essential need for a rural worker to live on site and that the granting of temporary permission would allow for the business to achieve financial viability and sustainability. The current application seeks to demonstrate that there remains an essential need for a rural worker to live on site and that in the period since the temporary permission was granted the business has achieved financial viability and sustainability such that a new permanent dwelling is justified to meet the long term needs of the business.

- 5.3 Paragraph 133 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Chapter 13 of the NPPF emphasises the importance of the Green Belt and states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.
- 5.4 Paragraph 145 of the Framework states that the construction of new buildings is inappropriate in the Green Belt unless, amongst other exceptions, it involves buildings for agriculture and forestry. Local Plan Policy GB1 also sets out a number of exceptions for the construction of new buildings in the Green Belt, including development for agriculture and forestry.
- 5.5 The proposed dwelling would be occupied for the purposes related to agriculture in connection with the use of the site. Consequently, it would be primarily intended for residential use, even though it would be supporting these other agricultural purposes. The exceptions provided under the Framework and Local Plan Policy GB1 are not considered to include a residential use within the exception for buildings for agriculture and forestry. The proposed dwelling would, therefore, not accord to these exceptions.
- 5.6 With the location of the proposed dwelling beyond the edge of the settlement, it would also not constitute limited infilling in villages. The site of the proposed dwelling is also not previously developed land as it falls within the definition of agriculture, which is excluded from the definition of previously developed land. The other exceptions under the Framework would also not apply.
- 5.7 Hence, the proposal would be inappropriate development which is by definition harmful to the Green Belt. Furthermore, the introduction of built form on part of the site that is currently undeveloped would also result in a loss of openness which would amount to further moderate harm to the Green Belt.
- 5.8 Paragraph 144 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential

harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 5.9 A case has been put forward by the Applicant relating to the need of the dwelling and is considered at the end of this report.

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)

- 5.10 The proposed development would be accessed using the existing access arrangements whereby the Highways Development Management team have confirmed that the proposed development would not have a material impact on the safety and operation of the public highway.
- 5.11 No objections are raised regarding this arrangement and adequate parking to serve the new dwelling can also be provided on site. The proposed development therefore complies with Local Plan Policies TR5 and TR7.

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)

H9 (Residential development and layout)

- 5.12 Paragraph 124 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 127 states that developments, among other requirements, should function well and add to the overall quality of the area, should be visually attractive as a result of good architecture, layout and landscaping, and should be sympathetic to local character and history. Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for

improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

- 5.13 Core Strategy Policy 8 states that all new developments must be of a high standard of design and make a positive contribution to the character of the surrounding area.
- 5.14 Local Plan Policy EP3 states that development will only be permitted where its scale, layout, siting, height, design, external materials and use 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 with their surroundings will not be permitted.
- 5.15 As aforementioned above, the proposed agricultural workers dwelling would comprise of a chalet-style bungalow, incorporating a gabled roof; to be constructed of red brick and red roof tiles. The proposed dwelling would be sited within close proximity to the existing agricultural buildings; next to the existing temporary mobile home. The proposed dwelling would be largely screened by the existing buildings on site and would be constructed in a position which consolidates the built form on site and prevents the wider spread of development. The proposed dwelling would be within close proximity to the farm buildings and reasonably close to the access for security and general means of surveillance of the paddocks. It is therefore considered to be an acceptable location for the agricultural worker's dwelling to be sited.
- 5.16 In this instance, the intention is that the Applicant and his family would live in the proposed dwelling. The dwelling would occupy 3 bedrooms within the roof space of the dwelling, with habitable living space at ground floor level. The Agricultural Consultant has assessed the size of the building and confirmed that it is considered to be of an acceptable size for its function as an agricultural workers dwelling. As such, no objections are raised with regard to the size of the proposed dwelling.
- 5.17 The proposed dwelling would have a traditional, simple design incorporating red bricks and a red clay tile roof. It has already been established that the siting and size of the dwelling are considered to be acceptable and it is considered that the proposed appearance of the building would be acceptable also, given that it would comprise of a simple design. It would incorporate a traditional gable roof with roof dormers so as to appear appropriate for its setting and in keeping with its rural setting.
- 5.18 Overall, it is considered that the proposed development would not detrimentally harm the character and appearance of the area and would comply with Local Plan Policies EP3, H9 and Core Strategy Policy CP8.

Amenity of existing and future residents

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

- 5.19 Local Plan Policy EP3 also states that permission will not be granted for uses which would be, or which would have the potential to be, detrimental to the 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. The scale of a proposed use should be compatible with and not adversely affect the character or amenities of neighbouring properties or the locality in general.
- 5.20 The proposed dwelling would be constructed in excess of 250 metres from the nearest residential property in Marsh Lane. Concerns have been raised from residents regarding the impact on the Green Belt, the temporary nature of the existing buildings etc. but these matters have been considered under the relevant sections of this report.
- 5.21 Whilst it is acknowledged that the proposed dwelling could potentially be visible from neighbouring properties, a loss of view is not a material planning consideration and therefore cannot be taken into account when assessing the impact on neighbouring amenities. Nevertheless, by virtue of the significant distance in between the proposed dwelling and neighbouring properties, and its simple design and acceptable size, it is not considered that from a residential amenity point of view that the proposed development would result in an overbearing or obtrusive appearance.
- 5.22 The proposed dwelling is not considered to adversely affect the amenities of neighbouring properties, in accordance with Local Plan Policies EP3 and EP5.

Flooding and drainage

Core Strategy Policies:

CP13 (Environmental and resource management)

- 5.23 Concerns have been raised from residents regarding potential flooding from the proposed development. The application site partially lies within National Flood Zone 2, however where the dwelling would be constructed would fall outside of this constraint.
- 5.24 As such, it is not considered that the proposed development would result in any adverse flooding implications.

Ecology

Core Strategy Policies:

CP9 (Natural environment)

CP13 (Environmental and resource management).

- 5.25 Paragraph 170 of the NPPF states that planning decisions should contribute to, and enhance the natural environment by (among other things) minimising impact on biodiversity, and providing net gains where possible. Core Strategy Policy 9 sets out a similar objective – “Seeking the conservation, enhancement and net gain in local biodiversity resources within the Biodiversity Opportunity Areas, on other non-designated land, on rivers and their associated habitats, and as part of development proposals”.
- 5.26 The proposed development would not involve the removal of any buildings or any trees which are considered to be of ecological value. As such, the proposed scheme is not considered to have a detrimental impact on biodiversity.

Environmental issues

Core Strategy Policies:

CP9 (Natural Environment)

CP13 (Environmental and resource management)

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

- 5.27 Core Policy 9 of the adopted Core Strategy sets out that the highest priority will be given to the integrity of Burnham Beeches Special Area of Conservation (SAC). Paragraph 3.3.11 of the Core Strategy also states that “where a specific development could result in significant effects on the SAC, a project level (regulation 48) HRA will need to be carried out by the developer when the planning application is submitted to determine whether mitigation measures are required”. This is also consistent with Section 15 of the NPPF relating to ‘Conserving and enhancing the natural environment’. The Burnham Beeches Special Area of Conservation Strategic Access Management and Monitoring Strategy Supplementary Planning Document (SPD) has also recently been adopted and sets out the Council’s approach to new residential development within 5.6 kilometres of Burnham Beaches SAC.
- 5.28 Natural England have been consulted on this application and raise concerns regarding the impact on the Burnham Beeches SAC. Natural England state that when there is sufficient scientific uncertainty about the likely effects on the planning application under consideration, the precautionary principle is applied to fully protect the qualifying features of the European Site designated under the Habitats Directive.
- 5.29 Due to new evidence on the impacts of recreational and urban growth at Burnham Beeches SAC carried out by Footprint Ecology as part of the emerging Local Plan, Natural England recognises that new housing within 5.6km of the Burnham Beeches SAC can be expected to result in an increase in recreational pressure. The 5.6km zone

presents the core area around the SAC where increases in the number of residential properties will require Habitats Regulations Assessment. Mitigation measures will be necessary to rule out adverse effects on the integrity of the SAC from the cumulative impacts on development.

- 5.30 Impacts to the SAC as a result of increasing recreational pressure are varied and have long been a concern. These impacts, which have the potential to adversely affect its interest features, including contamination, trampling/wear, harvesting, difficulties in managing the site and disturbance.
- 5.31 Natural England confirm that, in light of the new evidence relating to the recreation impact zone of influence, planning authorities must apply the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended), to housing development within 5.6km of the SAC boundary. The authority must decide whether a particular proposal, alone or in combination with other plans or projects, would be likely to have a significant effect on the SAC.
- 5.32 Given the above, the Council has carried out an appropriate assessment for the proposed development (see Appendix C). This concludes that without mitigation measures the development is likely to have a significant effect upon the integrity of the SAC and with the result that the Council would be required to refuse this planning application.
- 5.33 In order to mitigate such impact, the Council has adopted a Strategic Access Managements and Monitoring Strategy (SAMMS) and the approach is set out in The Burnham Beeches Special Area of Conservation SAMMS SPD. The Council consider that the SAMMS, which is supported by Natural England, is a robust and capable means of mitigating the likely significance effects of the proposal over 500 metres and up to 5.6km provided the proposal pays a contribution towards the SAMMS. Natural England has also confirmed that subject to a legal agreement which secures the financial contribution they do not raise an objection on grounds relating to the impact of such development on Burnham Beeches.
- 5.34 The applicant has confirmed that they willing enter into the legal to secure the contribution. A legal agreement will therefore be progressed and completed to secure the financial contribution towards the SAMMS subject to the outcome of the Planning Committee. Subject to its completion the proposal would be in accordance with Core Policy 9 of the Core Strategy, Section 15 of the NPPF and the Burnham Beeches Special Area of Conservation SAMMS SPD.
- 5.35 The Council has adopted a Community Infrastructure Levy (CIL) for certain forms of development. This does not affect the assessment of the proposed development; however the applicant has been made aware the permission is subject to CIL by virtue of the nature of the development.

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 aforementioned above, the proposed development fails to meet the exceptions contained within Paragraphs 145 and 146 of the NPPF and therefore the proposed development amounts to inappropriate development, which is by definition harmful to the Green Belt. The proposal would also result in a loss of openness amounting to a moderate degree of Green Belt harm. Paragraph 144 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 6.4 Paragraph 79 of the Framework also states that planning policies and decisions should avoid development of isolated homes in the countryside unless there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside. Often, but not always, the special circumstances demonstrated for an essential worker's dwelling under Paragraph 79 can be accepted as very special circumstances which would allow a new dwelling in the Green Belt. It is therefore necessary for the Local Planning Authority to assess the 'essential need for a rural worker' to live on the site at this location.
- 6.5 'Challen & Son Ltd' was established in 2012 with the application site purchased in 2014. Prior to this the applicant was running the business from an alternative location. However, due to the size of the land and success of the business, the application site was considered more appropriate for the business's expansion. The previous site had occupied the maximum number of hens the plot of land could withstand without impacting on the health and welfare of the birds. The business

currently has 4 full time employees (not including the applicant) whereby flocks have increased from 200 commercial breed hens to 6,000 laying hens.

- 6.6 As has already been noted, the application site comprises a fully functioning poultry farm. In 2018 temporary planning permission was granted for the provision of a mobile home to house an agricultural worker. At this time, the Council's Agricultural Consultant concluded that the applicant clearly had the expertise to further develop this rural activity and had identified a market for the eggs produced and had established a strong customer base. The Consultant noted that on a unit of this size and scale with 6,000 laying hens, there is a need for a worker to be readily available and living on site in order to meet the welfare requirements of the housed birds to respond to emergency situations. In terms of paragraph 55 of the NPPF he concluded that the applicant had demonstrated that there is an essential need for a full-time worker to live on site to meet the welfare requirements of the poultry. Whilst he noted that there were some uncertainties in the financial projections submitted in support of the application, there was sufficient flexibility in the figures to be able to reach a conclusion that the enterprise was capable of achieving financial viability and sustainability. He therefore recommended that a three year temporary permission would provide the applicant with the opportunity to demonstrate this. On this basis the Council concluded that the essential need for a rural worker to live on site amounted to very special circumstances to justify a three year temporary permission. The granting of the temporary permission was to allow for the business to achieve financial viability and sustainability before applying for a permanent dwelling to meet the long term needs of the business.
- 6.7 Since the temporary dwelling was granted permission the expansion of the farm to incorporate quail has also been established in a recent appeal (Ref: PL/18/3946/FA). In allowing the appeal the Inspector confirmed that the site contains an existing business which has a proven track record of growth and which intends to further diversify.
- 6.8 The current application includes a Planning, Design and Access Statement setting out the operations on site and the reasoning for why an agricultural worker is required to live on site. The Council's Agricultural Consultant has considered the submitted information and accepts the conclusions. Furthermore, the Agricultural Consultant notes that whilst the business showed an operating loss from years ending December 2015, 2016 and 2017, since then it has shown a profit for the years ending 2018 and 2019, with the latest figures for 2020 also showing a profit. He concludes that given the upward trends in trading figures he is now more convinced of the viability sustainability of the business and on this basis it is considered that the case has been made for need for a worker to live on site permanently.
- 6.9 Concerns have been raised over the status of the existing buildings on site. Residents have expressed that the buildings on site are only temporary and therefore the agricultural assessment for a new dwelling shouldn't be made on the basis of a non-

permanent agricultural business at the site. It is considered necessary to state, as reiterated by the Planning Inspector, in the recent appeal that the existing buildings on site are permanent structures, but are moveable and non-fixed, therefore they are not considered to be development. This approach has been confirmed by the Council's Enforcement team following an investigation of the site and the buildings in place. Therefore, the agricultural assessment has been made based on the existing site circumstances which includes an active poultry farm regardless of the condition of any existing buildings.

- 6.10 The allowed appeal for a further permanent agricultural barn also allows further growth for the poultry farm and as such, the proposed agricultural workers dwelling would be further justified by the construction of an additional agricultural building on site, leading to further production for the business.
- 6.11 Taking the above into account, the essential need for a rural worker to live at the site was accepted under planning application REF: 17/02314/FUL and this remains the case. The temporary permission for a mobile home has enabled the business to demonstrate financial viability and sustainability such that the Applicant has demonstrated an essential need for a rural worker to live permanently at their place of work. The size of the dwelling is also considered a reasonable scale for its purpose. The essential need for a rural worker to live at the site is considered to carry significant weight amounting to a case of very special circumstances sufficient to outweigh the harm to the Green Belt by reason of inappropriateness and loss of openness.
- 6.12 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.
- 6.13 The three overarching objectives to sustainable development, are Economic, Social and Environmental. The proposal would result in the creation of temporary jobs during the construction phase of the proposed development. A social objective would also be met as the proposal would provide additional housing in connection with the existing agricultural business. All whilst giving regard to the built environment. The proposed agricultural workers dwelling would also help to support the growth of the agricultural business which meets the economic objectives set out in Paragraphs 83 and 84 of the NPPF.
- 6.14 In terms of applying paragraph 11 d of the NPPF it is concluded that, given that very special circumstances have been demonstrated, there are no policies that protect

areas or assets of particular importance, in this case Green Belt, that provide a clear reason for refusing the development proposed and the adverse effects of the proposal would not significantly and demonstrably outweigh the benefits. 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.

6.15 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 or society to a harmful extent.

7.0 Working with the applicant / agent

7.1 In accordance with paragraph 38 of the NPPF (2019) 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 application was acceptable as submitted.

8.0 Recommendation

Delegate the application to the Director of Planning and Environment to GRANT planning permission subject to the conditions set out in this report and any others which he considers appropriate and the satisfactory prior completion of a Legal Agreement relating to mitigation of Burnham Beeches SAC. If the Legal Agreement cannot be completed the application be refused for such reasons as considered appropriate.

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. (SS01)

Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).

2. The exterior of the development hereby permitted shall only be constructed in the materials specified on the plans hereby approved or in materials which shall previously have been approved in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality. (Policies EP3 and H11 of the South Bucks District Local Plan (adopted March 1999) refer.)

3. The occupation of the dwelling hereby permitted shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry as defined in Section 336 of the Town and Country Planning Act 1990 (or in any statutory amendment or re-enactment thereof), or a dependant of such a person residing with him or her, or a widow or widower of such a person. (SO01)

Reason: The site is located within the approved Metropolitan Green Belt and the erection of a dwelling is only permitted to meet the very special circumstances of agriculture. (Policy GB1 of the South Bucks District Local Plan (adopted March 1999) refers.)

4. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- i) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
- ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.
- iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with a necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbour and other offsite receptors.

6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 4, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 4, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 4.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7. This permission relates to the details shown on the approved plans as listed below:

List of approved plans:

Received Plan Reference

21 Oct 2020 Proposed Elevations

30 Oct 2020 Proposed Roof Plan

3 Nov 2020 Location Plan

3 Nov 2020 Site Plan

INFORMATIVE(S)

1. Due to the close proximity of the site to existing residential properties, the applicants' attention is drawn to the Considerate Constructors Scheme initiative. This initiative encourages contractors and construction companies to adopt a considerate and respectful approach to construction works, so that neighbours are not unduly affected by noise, smells, operational hours, vehicles parking at the site or making deliveries, and general disruption caused by the works.

By signing up to the scheme, contractors and construction companies commit to being considerate and good neighbours, as well as being clean, respectful, safe, environmentally conscious, responsible and accountable. The Council highly recommends the Considerate Constructors Scheme as a way of avoiding problems and complaints from local residents and further information on how to participate can be found at www.ccscheme.org.uk.

(SIN35)

2. You are advised that consent under the Building Regulations may be required for the proposed development and the Building Control Unit at the Council should be contacted in this regard. (SIN41)