

APPENDIX D – 21/07006/REM

SCHEDULE OF UPDATES TO THE REPORT OF THE HEAD OF PLANNING GROWTH AND

SUSTAINABILITY - TO THE BUCKINGHAMSHIRE COUNCIL (WEST AREA)

PLANNING COMMITTEE 25/05/22 (postponed to 08/06/22)

Application No:	21/07006/REM	Item	5	Page:	11
Site Address: Slate Meadow Stratford Drive Wooburn Green Buckinghamshire					

Information Added:

This application has been the subject of a Member Site Visit.

Consultations Reported:

Natural England - I am happy with the outcome of that Appropriate Assessment. Please feel free to continue without an objection from Natural England.

Ecology Officer – In response to Environment Agency comments relating to biodiversity. Key issue is to ensuring we:

1. Meet the need to get some meaningful enhancements – without having a negative impact upon water voles.
2. Deliver seasonal wetland areas which have multiple benefits and which have a natural (not over engineered appearance).
3. Ensure everything is appropriately carried out and monitored, supervised and recorded.

To meet issues we need conditions relating to:

1. Water voles, river improvements and water vole mitigation
2. Updated details relating to seasonal wetlands
3. Details of an Ecological Clerk of Works and supervision measures
4. Auditing of ecological compensation, mitigation and enhancement measures.

Buckinghamshire Council Highways - Having reviewed the amended plans, a turning area would be provided between Plots 142 and 143. Whilst it does not appear that tracking information has been provided to demonstrate that larger vehicles could turn within the area provided, given the size of the area, I am satisfied that larger vehicles including refuse vehicles and fire tenders could manoeuvre within the area negating the potential for these vehicles being required to reverse excessive distances.

In consideration that the applicant has confirmed that the estates roads would remain private and not offered for adoption at public expense, it would be the responsibility of the developer/management company to ensure that the turning area is kept free of parked vehicles.

The Highway Authority raises no objections to this application, subject to conditions.

Representations Reported:

Two further representation received from a resident objecting to the development on the following grounds:

- No mention of problems of access to the site which do not address traffic issues on Stratford Drive or junction with Brookbank
- There will be chaos on Stratford Drive leading to back up. Danger at point of access where school is located;
- Safety issues and congestion now;
- Raised table would be noisy
- Should be a better place for crossing between two close junctions
- Contrary to WDLP objective of ensuring the site access is designed to protect the safe and effective operation of the existing Stratford Drive/St Paul's School access and the Stratford Drive/Orchard Drive junction". This has not been achieved or minimise impact on existing residents;
- Access plans need to be changed before an accident happens. Could there not be a separate entrance and exit to the field, or similar to the elongated roundabout at Daws Hill Lane in HW
- Aspects of proposals are still being queried and criticised by statutory bodies.
- Premature to grant permission with unresolved issues.
- Cycle track in buffer zone
- Western part of the site is a success story for wildlife due to isolation from humans
- Nature homes and habitats lost for pedicured wetland no one needs or wants

A further representation has been received from the Buckinghamshire Badger Group

- The buffer should be increased to 30m
- The sett is large and could extend into construction zone. GPR equipment could be used to avoid harm
- Is it possible to make a 30m zone around the main sett
- A great deal of thought has gone into how to look after badgers and mitigate disturbance and distress

Conditions/Informatives:

In response to the removal of the objection from Natural England and the Ecology Officer comments, the Recommendation on Page 25 of the Agenda pack should be amended to read:

Recommendation: That the application is delegated to the Director of Planning and Environment for Approval subject to:

- (a) The completion of a signed Unilateral Undertaking or Deed of Variation to secure payments towards the Burnham Beeches SAMMS;
- (b) The submitted post scheme flood modelling is satisfactory, in discussion with the Environment Agency, and should no agreement with the EA be reached and an objection on flooding grounds is maintained, or significant changes to the layout are necessary, then the application will be returned to Committee for further consideration;

- (c) Any further conditions/measures necessary; and,
- (d) The referral to the Secretary of State for their determination as to whether the application should be called in (in accordance with the third party call-in request received); and,

Subject to the following condition(s):

1. The development hereby approved shall be carried out in strict accordance with the plans detailed within the document titled Planning Application Register (prepared by Croudace Homes - dated May 2022), received on 24th May 2022.

Reason:

In the interests of clarity and to secure the satisfactory layout, scale, appearance, access and landscaping of the development.

2. Notwithstanding the details submitted with the application, prior to any works commencing within the 10m river buffer area, the following shall occur, in sequential order, details of which shall be submitted for the approval, in writing, by the LPA:

- Updated water vole surveys will be undertaken of both banks of the river through the site, and an assessment of the suitability of habitat within 100m of the site up and down stream;
- Updated proposals and designs for river enhancements shall be developed to include at least a 50% increase in river enhancement (this can include both river bank enhancement and in river enhancements). The proposals shall be led by ecologists, landscape architects and coordinated with engineers, to the approval of the Local Planning Authority;
- Where any element cannot be achieved for technical reasons, then full detailed justification shall be provided by the engineers for submission to the Local Planning Authority;
- Updated water vole mitigation (including the timing and phasing or works) and enhancement details;
- Details of the timing and delivery of all measures; and,
- If necessary, a licence shall be sought and received from Natural England, prior to commencement.

Works shall then proceed in strict accordance with approved details, unless otherwise agreed by the Local Planning Authority.

Reason: to ensure that impacts upon water vole are mitigated against and enhancements are delivered.

3. Notwithstanding the details contained within the application, prior to any works within the strategic open space corridor, updated details (including plans and sections) of the seasonal wetland areas shall be submitted to and approved in writing by the Local Planning Authority.

The submitted details shall:

- Be led by ecologists, landscape architects and coordinated with engineers, to ensure that proposals are multi-functional, aesthetically pleasing, provide good habitat value and meet drainage/flooding requirements;
- Include natural undulations and not have uniform slopes;
- Be presented using contoured plans and sections; and
- Include details of the timing and delivery of such works.

Where any element cannot be achieved for technical reasons, then full detailed justification shall be provided by the engineers for submission to the Local Planning Authority.

The development shall be carried out in strict accordance with the approved details unless otherwise agreed by the Local Planning Authority.

Reason: to ensure that seasonal wetland areas are fully multifunctional.

4. Notwithstanding the details submitted with the application, prior to the commencement of any works within the red zones, as identified by the Biodiversity Protection Zones Plan (Contained within Appendix 4 of the Construction Environmental Management Plan: Biodiversity, prepared by SES, dated 20th December 2021), the following shall be submitted to, and approved in writing by, the LPA:

- details of the appointed Ecological Clerk of Works (ECoW).
- Details of the power of the ECoW to control the works.
- A schedule when supervisory works will occur,
- Agreed number and approximate frequency of monitoring visits, and
- A commitment to submit produce and submit short reports to the council after each visit.

Reason: to ensure the works on site relating to ecology are appropriately supervised, monitored and subsequently reported back to the LPA.

5. Notwithstanding the details contained within the application, prior to first occupation, the ECoW shall sequentially:

- undertake an audit of ecological mitigation compensation and enhancement measures.
- produce a snag list of any outstanding issues
- re-inspect any items on the snag list once they have been resolved and certify that they have been addressed.

Full details of all monitoring and supervisory reports, the aforementioned audit report, snag list and certification, shall be submitted to the LPA prior to first occupation. The reports shall be held on public record.

Reason: to ensure the works on site relating to ecology are appropriately supervised, monitored and recorded by the LPA.

6. Prior to their construction, details of the construction of the estate roads and footways shall be submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and no dwelling shall be occupied until the estate roads which provide

access to it from the existing highway have been laid out and constructed in accordance with the approved details.

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

7. Prior to the construction of the new means of access, details of the disposal of surface water from the highway shall be approved in writing by the Planning Authority in consultation with the Highway Authority and no dwelling shall be occupied until the works for the disposal of surface water have been constructed in accordance with the approved details.

Reason: To minimise danger and inconvenience to highway users.

8. Prior to first occupation, the new means of access serving the site's estate roads shall be sited and laid out in accordance with the approved drawing and constructed in accordance with the Buckinghamshire Council guide note "Commercial Vehicular Access within the Public Highway".

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

9. Plots 1 – 2 & 138 – 140 shall not be occupied until the new means of access serving these plots have been sited and laid out in accordance with the approved drawing and constructed in accordance with the Buckinghamshire Council guide note "Private Vehicular Access within the Public Highway".

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

10. Plots 141 to 143 shall not be occupied until such a time as the area for refuse vehicles to turn, in accordance with the approved plans, has been laid out and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off and turn clear of the highway thereby avoiding the need to reverse excessive distances.

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

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

12. 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.

Informative(s):

1. The strategic open space corridor, as cited in condition 3 above, relates to the area designated for strategic open space, as defined by the signed Legal Agreement, dated 26th June 2018, entered into pursuant to outline planning permission 18/05597/OUT.
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Application No:	20/07802/FUL	Item	6	Page:	45
Site Address: Site Of Former Park And Ride Facility Crest Road High Wycombe Buckinghamshire					

Information Added:

This application was the subject of a Member Site Visit on 25th April 2022.

Error in paragraph 2.8 which should be amended to read:

- 2.8 Following receipt of the application, the LPA undertook to carry out a screening opinion pursuant to the EIA Regulations ~~for a development of up to 47 dwellings.~~

Consultations Reported:

Representations Reported:

One further representation received from ASDA Stores reiterating previous comments that the proposals are contrary to Policy DM34 with regard to protect and enhance biodiversity and green infrastructures both on and off the site, and that the CIL Regulations do not allow for obligations to be secured through a memorandum of understanding.

These matters have been considered in the Committee report

Conditions/Informatives:

An error has been noted in the reason for condition 6 (site levels).

The condition should be amended to read:

6. Notwithstanding the proposed site level details hereby approved, before the development is commenced (with the exception of site clearance), full details of the proposed levels, including detailed sections, shall be submitted to the Local Planning Authority for approval. The details shall include the development shall be carried out in strict accordance with the approved details.

Reason:

To ensure that any changes in land levels are acceptable in the interest of the character and appearance of the area.

Application No:	21/06803/FUL	Item	7	Page:	79
Site Address: Griffin House Preparatory School Station Road Little Kimble Buckinghamshire HP17 0XP					

Information Added:

This application has been the subject of a Member Site Visit.

Consultations Reported:

Representations Reported:

Conditions/Informatives:

Amendment to condition 5 to secure the pedestrian path link to the main road – add the words “and the new pedestrian path” after “disembarkment of vehicles”

Application No:	21/08547/VCDN	Item	8	Page:	101
Site Address: Silver Birches Hawks Hill Bourne End Buckinghamshire SL8 5JQ					

Information Added:

This application has not been the subject of a Member Site Visit as Members have visited the site recently.

Consultations Reported:

Representations Reported:

Conditions/Informatives:

Application No:	22/05527/FUL	Item	9	Page:	111
Site Address: Car Park Old Kiln Road Flackwell Heath Buckinghamshire					

Information Added:

This application has been the subject of a Member Site Visit.

Consultations Reported:

Representations Reported:

Additional representation from Mr Simon Carter has been received. This representation has been sent to members of the West Area Planning Committee individually.

Additional comments include:

- Officers report omits to address parking needs for all of Aries House or parking harm caused by loss of car park
- Both Planning inspector and Officers report ignores parking needs for all of Aries House
- Planning Inspector has overlooked existing/original parking requirement
- The company which gained recent planning approval has been sold off and employees relocated
- A new boxing gym has opened in former Bugden's store which represents a material change of use. Officer's reports omits to mention this change of use. The new occupancy sustains the need for the car park to remain.
- Inspector's view that car park was not intended to serve general needs of drivers in Flackwell Heath s contrary to long-standing view of Council.
- Original permission records contain documents which support the view that the car park was intended for wider use and development contains a footpath link between car park and Chapel Road
- Original architect has commented on use of car park for wider use
- Car Park survey undertaken on behalf of Council. At appeal, was insufficient
- The Planning Inspector's report is open to challenge
- Condition 7 of original permission remains valid and enforceable
- The Planning Inspector didn't consider appeal from an enforcement point of view.
- Highway Authority comments were provided without the knowledge that a new use has occupied the building

Conditions/Informatives:
