



Strategic Sites Committee Update

Application Number:	PL/22/1411/OA
Proposal:	Outline Application for the erection of a Motorway Service Area with all matters reserved with the exception of access from the M25, comprising a facilities building, fuel filling station, electric vehicle charging, service yard, parking facilities, vehicle circulation, landscaping, amenity spaces, Sustainable Drainage Systems (SuDS)/attenuation, retaining structures and associated mitigation, infrastructure and earthworks/enabling works
Site Location:	Land Between Junctions 16 and 17 of the M25, Near Chalfont St Peter, Buckinghamshire
Applicant:	Extra MSA Group
Case Officer:	Rachel Marber
Ward(s) affected:	Chalfont St Peter
Parish-Town Council:	Chalfont St Peter Parish Council
Date Application Valid date:	4 May 2022
Statutory Determination date:	2 October 2023
Recommendation:	That planning permission be delegated to the Director of Planning and Environment for REFUSAL pending the 1938 Act consenting procedures in respect of CV MSA and minerals applications having been given an opportunity to take their course.

Further Representations

Cornfield Cottage, Roberts Lane, Chalfont St Peter

This is green belt land and should be protected. The M25 has existed for many years without a service station so can exist without one going forward. The need for more charging points will reduce over the coming years with the improvements to battery technology so will render any argument in this regard redundant.

There will be nearly 300 low paid, low skilled jobs. These will not be filled by residents of Chalfont St Peter; therefore the majority will need to travel to the site by car from the surrounding area; there appears to be insufficient spaces for staff parking.

Extra

A number of matters have been raised by Extra relating to the approach taken in the reports to landscape and visual matters, Green Belt matters, irreplaceable habitats, flood risk and deliverability, together with a comparison. This has been circulated to members.

Response to concerns raised by Extra

The CSP2 report sets out the assessment of the impact on the Green Belt including visual effects in section 7 and landscape and visual effects in section 8 and the consideration of alternatives sites in section 23.

Considerable landscape harm has been identified and attributed as a result of the residual impact (with mitigation) of the terraced components of the proposed MSA development from eastern views, across higher residential areas in Harefield and Maple Cross. Reference is made in the report to open and clear views towards the site and that it would be highly visible in the public domain. It is maintained that although this affect would be localised and not be significant in ES terms, there would be considerable impact to landscape character from this eastern perspective. This eastern visual extent is considered to be a material difference to the landscape harm generated by CV MSA, which by virtue of proposed mitigation is relatively self-contained. This reflects the Council's Landscape consultant's findings (LDA), who undertook a comprehensive landscape comparison between CV MSA and CSP2.

In turn, the visual presence of the proposed MSA from this eastern elevation also results in visual Green Belt harm being found to a greater extent than that of CV MSA. For this reason, the totality of visual and spatial harm to Green Belt openness is found to be significant, substantial weight is given to this harm.

Although the application site's landscape is already disturbed as a result of HS2, the baseline for planning assessment must be taken from the restored land value as agricultural in appearance.

In terms of purposes, this is not a numerical analysis, and is one of a number of factors in assessing the Green Belt impact.

Other considerations relating to traffic flow and gaps meet were taken into consideration in the flood risk sequential assessment, for the purposes of identifying a site appropriate for the proposed development. Table 7 in section 23 shows the comparison of main considerations.

The realignment of the road and overbridge as a feature in the CV MSA application has been taken into account in the CV MSA report in assessing the landscape impact and IV1 of the Ivers Neighbourhood Plan.

Deliverability of both MSA developments is a material planning consideration and has been considered in detail, within both Committee Reports. The report has taken into consideration the pending 1938 Act consenting procedures in respect of CV MSA and minerals applications and gives an opportunity for these consenting procedures to take their course. It is considered that the example cited by Extra by way of illustration on timings is not comparable to the matter arising in this instance, as it relates to very different factors and circumstances. The officer reports and update reports for each application sets out the steps to be taken on this matter and that for CSP2 recommends that in the event of a refusal of PL/20/4332/OA, to refer this application back to the Strategic Sites Committee for re-consideration.

Updated Draft Condition from Appendix G

Condition 3 : Reserved Matters Detailed Accordance

The insertion of an additional plan reference (shown in **bold**)

The details of the reserved matters submitted pursuant to this permission shall be carried out in substantial accordance with the Parameter Plan – 1740.1/P(--) 100 Rev P1, Design Principles April 2022 and **Proposed Cut and Fill Plan- RAM-XX-XX-SK-C-00011 Rev P03** accompanying the outline planning application and be consistent with the Design and Access Statement April 2022, and the ground levels and heights and internal floorspaces of the proposed buildings shall not exceed those specified. The quantum of landscaping to be provided, including existing areas for retention, new area of planting, central landscape spine and any associated green infrastructure shall be in general accordance with the Illustrative Landscape Masterplan BIR.5351_09 Rev EE and Landscape and Visual Mitigation Strategy BIR5351_054.

Reason: To secure the satisfactory development of this important site in accordance with the agreed principles and objectives and to ensure high quality design is achieved in accordance with Core Strategy Policies CS20 and CS21 and Local Plan Policy GC1.

Updated Recommendation

That planning permission be delegated to the Director of Planning and Environment for **REFUSAL** pending the 1938 Act consenting procedures in respect of CV MSA and minerals applications having been given an opportunity to take their course. The reasons for refusal would be based on the following reasons:

1. The proposed development would constitute inappropriate development in the Green Belt which by definition is harmful. The proposed development would also result in significant harm to the openness of the Green Belt in both spatial and visual terms, and would conflict with Purpose c of including land within the Green Belt. Substantial weight is given to the 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. Having regard to the benefits

arising from the proposal, the harm to the Green Belt and other harm is not clearly outweighed by the benefits such as to constitute the very special circumstances necessary to permit inappropriate development in the Green Belt. The proposed development is therefore contrary to Policy GB2 and GB30 of the Chilterns Local Plan and the National Planning Framework.

2. The proposed development is of a scale and nature on an open green field site which would represent an obtrusion in to open countryside and result in considerable adverse landscape character and visual impact of the immediate area, fundamentally altering its character and appearance contrary to Policy CS4 of the Chilterns Core Strategy and Policies GC1 and GB30 of the Chilterns Local Plan and the National Planning Framework.
3. The proposed development would fail to meet the flood sequential test in that there is a reasonably available appropriate site for the development proposed. The development would not be an appropriate site for the development proposed, with regard to local and national policies relating to flood risk. Accordingly, it would conflict with Policy CS4 of the Chilterns Core Strategy, Policy GC10 of the Chilterns Local Plan and Paragraphs 161 and 162 of the Framework.
4. Had the above reasons for refusal not applied, it would have been necessary for the applicant and the Local Planning Authority to enter into a satisfactory Section 106 Agreement to secure the provision of planning obligations, including monitoring and financial contributions relating to footpath and cycle lane improvement, Biodiversity Net Gain, Security Group implementation and formation, security camera contribution, SuDs management and maintenance, employment and skills strategy and local procurement strategy; which are necessary to facilitate delivery of the proposed development and mitigate its impacts. In the absence of such provision the proposal is contrary to requirements of policies GC1, GC4,, NC1 and TR3, in The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011, and policies CS4, CS24, CS25, CS26, CS30, and CS32 of the Core Strategy for Chiltern District Adopted 15 November 2011, Policy PW11 of the Chalfont St Peter Neighbourhood Plan (2013 – 2028), Buckinghamshire Biodiversity Net Gain SPD (2022) and the National Planning Policy Framework”.

Subject to planning permission being granted for the competing site planning application PL/20/4332/OA

OR, on refusal of PL/20/4332/OA, to refer this application back to the Strategic Sites Committee for re-consideration.

In the event of any changes being needed to the wording of this resolution (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Director of Planning and Environment has delegated authority to do so in consultation with the Chairman, provided that the changes do not exceed the substantive nature of the Strategic Sites Committee’s resolution.