



## **Strategic Sites Committee 28/09/2023 Update**

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<b>Application Number:</b>	CM/0036/21
<b>Proposal:</b>	Mineral extraction and provision of access to facilitate the development of the Colne Valley Services and associated works proposed under planning application ref (PL/20/4332/OA).
<b>Site Location:</b>	Land Adjacent To M25 Between Junctions 15 & 16 Iver Heath Buckinghamshire
<b>Applicant:</b>	Colne Valley Motorway Service Area Limited
<b>Case Officer:</b>	James Suter
<b>Ward(s) affected:</b>	Iver
<b>Parish-Town Council:</b>	Iver Parish Council
<b>Date valid application received:</b>	06/08/2022
<b>Statutory determination date:</b>	26/11/2022

### **Further Information**

Paragraph 7.12 and 7.13 update: Following the publishing of the officer report, the Local Aggregates Assessment (LAA) for the year of 2021 has been published. The document identified that using a 3-year average sales data, (as of 31<sup>st</sup> December 2021) the county has a landbank of 5.2 years against a 7 year supply requirement and a provision rate of 1.12mtpa.

The publication of the LAA does not alter the conclusions of the officer report.

### **Amendment to report**

Para 9.22 of the report states:

*“Once the M25 slip roads are constructed the access via Slough Road would cease.”*

This is amended to read:

*“Once the M25 slip roads are constructed, HGV access via Slough Road would cease. “*

This change is to clarify the report.

### **Amendment to draft recommended conditions:**

Insertion of following condition 41:

*No development shall commence unless and until an Agreement under section 106 of the Town and Country Planning Act 1990 has first been entered into to secure the following planning obligation:*

a) *Air Quality Management Area Contribution*

*Reason: Paragraph: 010 Reference ID: 21a-010-20190723 of the National Planning Practice Guidance on Conditions states that "in exceptional circumstances a negatively worded condition requiring a planning obligation or other agreement to be entered into before certain development can commence may be appropriate, where there is clear evidence that the delivery of the development would otherwise be at serious risk (this may apply in the case of particularly complex development schemes)." This condition is a pre-commencement condition because the local planning authority would have refused the planning application in the absence of the Section 106 Agreement, however the development hereby permitted is a particularly complex development scheme and the delivery of the development would otherwise be at serious risk without the condition as Buckinghamshire Council is the freehold land owner of the majority of the land and it is not possible for Buckinghamshire Council to enter into the Section 106 Agreement as both the land owner and the local planning authority.*

### **Amendment to recommendation**

Amendment to recommendation to read as follows:

- 1. That the decision be delegated to the Director of Planning and Environment for APPROVAL *subject to:***
  - A) *The granting of satisfactory consent by the Secretary of State pursuant to the Green Belt (London and Home Counties) Act 1938 (as amended).*
  - B) *The completion of an Agreement under s111 Local Government Act 1972 (as amended) securing a further Agreement under s106 Town & Country Planning Act 1990 to secure planning obligations broadly in accordance with the details set out in the main body of the report (and any update sheet); and*
  - C) *The imposition of planning conditions broadly in accordance with the details set out in the report (and any update sheet) as considered appropriate by the Director of Planning and Environment;*
- 2. If 1. above cannot be achieved, for the application to be REFUSED for such reasons as the Director of Planning and Environment considers appropriate. **OR****
- 3. The application shall be referred back to the Strategic Sites Committee in the event that:**
  - (i) *there has been no decision to approve any Green Belt (London and Home Counties) Act 1938 (as amended) consent application within 4 months of the date of this resolution; or*
  - (ii) *there has been no confirmation, within 4 months of the date of this resolution, that consent has been sought from the Secretary of State for any necessary alienation of Buckinghamshire Council's interest in the land or for the land to be released from all of the restrictions contained in the Green Belt (London and Home Counties) Act 1938 (as amended); or*
  - (iii) *within 4 months of the date of this resolution, , the Director of Planning and Environment considers that new material considerations have arisen;*

*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.*