



Report to South Area Planning Committee

Application Number:	PL/22/4027/FA
Proposal:	Conversion of two equestrian buildings to form 7 residential units with associated parking and landscaping.
Site location:	Cliveden Stud House Cliveden Road Taplow SL6 0HL
Applicant:	Mr & Mrs Krishnamohan
Case Officer:	Mr Graham Mansfield
Ward affected:	Cliveden
Parish-Town Council:	Taplow Parish Council
Valid date:	23 January 2023
Determination date:	22 September 2023
Recommendation:	Defer and 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 shall be refused for such reasons as considered appropriate.

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application seeks planning permission for the conversion of two equestrian buildings to form 7 residential units with associated parking and landscaping.
- 1.2 The proposed development would meet the exceptions for development in the Green Belt, as set out in the NPPF, by virtue of the proposal consisting of the re-use of buildings which are of permanent and substantial construction as set out at paragraph 150 d of the framework.
- 1.3 It is considered that there are no policies that protect areas of particular importance, that provide a clear reason for refusing the development proposed and there are no adverse effects of the proposal that would significantly and demonstrably outweigh the benefits.
- 1.4 It is considered that the proposed development would provide a sustainable form of development and would make effective use of land. The proposal would meet the

requirements of paragraph 120 of the NPPF where substantial weight should be given to the value of using suitable brownfield land within settlements for homes and the promotion of the development for under-utilised land and buildings where this would help meet an identified need for housing where land supply is constrained.

- 1.5 The application has been referred for determination by the South Area Planning Committee following call-ins from Councillor Sandy and Councillor Chhokar.
- 1.6 Defer and 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 shall be refused for such reasons as considered appropriate.

2.0 Description of Proposed Development

- 2.1 The application site is located in the Cliveden Ward within the Parish of Taplow. The site is to the east of Cliveden Road within the wider site of Cliveden Stud Farm which consists of a mix of residential and equestrian uses.
- 2.2 The site itself is not widely visible from the public realm of Cliveden Road which is noted for its wooded nature interspersed with enclaves of residential development located at Cliveden Gages and Orkney Court (located to the west and south west of the application site). However, the lower end of the site can be seen from certain vantage points on Parliament Lane and Huntswood Lane.
- 2.3 The site is located within Metropolitan Green Belt and is located within 5.6km of Burnham Beeches SAC.
- 2.4 The application seeks permission for the conversion of two equestrian buildings to from 7 residential units. In addition, to the conversion of the buildings it is proposed to incorporate amenity spaces and car parking provision which would result in alterations to the existing hard landscaping.
- 2.5 The buildings in question consist of a former 'U' shaped brick built stable block (Building A) arranged around a central courtyard consisting of hardstanding. Adjacent to the south of the building is a former manege which is bounded by a post a rail wooden fence. A further brick built stable building (Building B) is located some 120m to the south and accessed from the internal access road.
- 2.6 It is proposed to convert Building A into four 2-bedroom dwellings and one 3- bedroom dwelling. Each dwelling would have its own private amenity space to the front, supplemented by the conversion of the internal courtyard to a shared landscaped space. Parking would be located on the area of the former manege. Building B would be converted to two 3-bedroom dwellings, with parking located to on hardstanding to the side of the building and the provision of amenity space to the front and rear.
- 2.7 Both buildings are constructed from brickwork with red clay roof tiles and include windows on their elevations along with wooden doors to access the stables. The roofs and wall would remain as existing, the only alterations in respect of materials would be the replacement and addition of windows and doors, with existing openings used where possible. New windows would be dark grey aluminium coated. In places where additional brickwork is needed, red bricks to match the existing would be used with

some horizontal timber cladding used occasionally to reflect the use of timber of the existing buildings.

2.8 The application is accompanied by:

- a) Planning Statement
- b) Preliminary Roost Assessment and Bat Survey
- c) Stables Structural Condition Report
- d) Existing and Proposed Plans and Elevations

2.9 An amended plan was provided during the course of the application which gave the indicative materials for the parking area. In addition, supporting information was provided to deal with queries from the Council's Waste, Highways and Suds officers.

3.0 Relevant Planning History

Relevant planning history for the site:

- 3.1 87/00271/APPLIC; Replacement of 6 no. timber loose boxes and stores for 4 no. brick and tile loose boxes and stores (Stable Building B); Conditional Permission.
- 3.2 07/01194/VRC: Removal of Conditions 5 and 6 of planning permission ER/1466/68 (relating to agricultural occupancy of Cliveden Stud House); Refuse Permission
- 3.3 PL/22/2826/EU: Certificate of Lawfulness for existing: To confirm that Cliveden Stud House as built is materially different to the dwelling permitted under outline planning permission reference ER/1466/68 and reserved matters approval ER/679/70 such that the original permissions were not implemented. Cliveden Stud House as built was substantially completed more than four years prior to this lawful development certificate application. It is therefore immune from enforcement action and the conditions imposed on the outline planning permission ER/1466/68 do not apply; Refuse Certificate – Appeal in Progress
- 3.4 PL/22/3274/FA; Change of use to residential (Use Class C3) to form a two-bedroom dwelling with minor elevational changes; Conditional Permission
- 3.5 PL/23/1070/FA; Application for three family homes (Class C3), within an existing walled garden; Pending Consideration

4.0 Summary of Representations

- 4.1 Letters of objections have been received from 13 separate households.
- 4.2 Taplow Parish Council have raised objections to the proposal on a number of grounds. Concerns relate to occupancy conditions which apply to several of the properties within the site. Sustainability in terms of location and access to Building 2.
- 4.3 The full consultation responses and summary of representations can be found at Appendix A of this report.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), February 2021.
- 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 Council Residential Design Guide Supplementary Planning Document (SPD) - Adopted October 2008
- Chiltern and South Bucks Townscape Character Study 2017
- 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)

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

H2 (Housing allocation)

- 5.1 The site falls within the Green Belt. The NPPF states at paragraph 137 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. Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 5.2 Paragraph 137 of the National Planning Policy Framework (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. Paragraph 149 of the NPPF states local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt. However, exceptions to this include the re-use of buildings provided that the buildings are of permanent and substantial construction. This is caveated that they must preserve the openness of the Green Belt and not conflict with the purposes of including land within it as set out Paragraph 150 d of the NPPF allows for engineering operations also caveated on the provision that they must preserve the openness of the Green Belt and not conflict with the purposes of including land within it.
- 5.3 Policy GB2 of the Adopted Local Plan concerns the re-use of buildings in the Green Belt and provides that proposals for the reuse of buildings in the green belt will be permitted where the subject building(s) are of permanent and substantial construction and any new uses of land surrounding the buildings to be reused do not detract from the open and undeveloped character of the Green Belt. This policy is broadly in line with paragraph 150 d of the NPPF.

Impact on Openness

- 5.4 The buildings subject of the application are both substantial brick built structures. Supporting information submitted with the application indicates that the proposed buildings would be capable of conversion without any significant alterations. The proposal as indicated previously would involve changes to the external fabric of the building to incorporate windows and doors, neither of which would have an impact on the openness of the Green Belt.
- 5.5 It is noted that the proposals would incorporate areas of amenity and would require the parking of vehicles associated with the residential use, which would be located on

areas adjacent to the existing buildings. In terms of the visual impact, it is acknowledged that the proposal would result in some domestic paraphernalia and activity, including the parking of cars and vehicular movements. However, the previous use of the buildings would have likely generated vehicular movements, parking and the storage of horse related equipment. The proposed buildings and uses would be contained within the existing building envelopes and areas that are already occupied by hardstanding with curtilages that would not extend beyond into the adjacent fields. As such, officers consider that the proposal would not result in a visual loss of Green Belt openness.

- 5.6 In terms of the parking, the proposed parking area serving Building A would be located on the former manege (to the south of the building). This area consist of hardsurfacing and as part of the proposal the parking area would require less hardstanding resulting in a betterment in visual terms. The parking area for Building B would be located adjacent to the building on existing hardstanding. As such, no objections are raised in terms of the impact on the openness of the Green Belt in this regard.
- 5.7 Noting the above, the proposal is considered not to conflict with any of the five purposes of the Green Belt as set out in paragraph 138 of the NPPF.
- 5.8 Overall, it is considered that the proposed development would not result in substantial harm to the Green Belt. No objections are therefore raised in Green Belt terms having regard to the relevant sections of the NPPF and Local Plan Policy GB2 of the South Bucks District Local Plan (1999). Therefore, this matter is afforded neutral weight in the planning balance.

Affordable Housing and Housing Mix

Core Strategy Policies:

CP1 (Housing Provision and Delivery)

CP2 (Housing Type and Size)

CP3 (Affordable Housing)

- 5.9 Due to the size of the site and the number of units proposed, the development would not be required to provide affordable housing in line with paragraph 64 of the NPPF.
- 5.10 The proposed development would introduce 7 residential dwellings on a brownfield site within the Green Belt. Paragraph 120 d of the NPPF highlights that planning decisions should promote the development of under-utilised land and buildings where this would help meet an identified need for housing where land supply is constrained.
- 5.11 The Council does not currently have a 5-year supply of housing, and it is important to note that almost 90% of the south area of Buckinghamshire is covered by Green Belt, therefore the availability of potential sites that can accommodate additional housing and are outside of the Green Belt are limited.
- 5.12 It is noted that representations have been made questioning the sustainability and location for residential development. However, the site is not considered in such a remote rural location as not to support new housing in the area. Officers note that the Council has previously accepted the principle of new residential development within this area of Taplow including the site of the former Canadian Red Cross Memorial Hospital which was redeveloped to provide 135 dwellings (now known as Cliveden Gages) and Orkney Court (16 dwellings) to the west of the application site.

- 5.13 Whilst it has to be accepted that residents in this area would be more likely to use private vehicles to access services, the application site is not within exceptionally long distances to local services. Burnham Village is located 2.5 miles from the site and Taplow Station is approx. 2.2 miles to the south.
- 5.14 Overall, the application site, whilst in the Green Belt, represents previously developed land with existing buildings to be re-used, thereby reducing the need for any new built form. The area is predominantly residential and there is a significant need for new housing within south Buckinghamshire area. It is considered that the site is sufficiently accessible to not be isolated and unsustainable. On this basis, it is considered that the site is suitable for the locating of new residential properties. This matter of housing provision is afforded moderate weight in the balance.

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)

Buckinghamshire Countywide Parking Standards (2015)

- 5.15 The Council's Highways Officer has reviewed the proposed development and has raised no objections in terms of the impact on the local highway network. The proposed residential development is considered to be an improvement over the existing situation in highway terms as there would be a reduction in vehicular movements compared to the equestrian use associated with the site.
- 5.16 In addition to the above, due to the reduction in vehicles, officers consider that the existing access point onto Cliveden Road would be suitable and would not result in any highway safety concerns.
- 5.17 In terms of parking provision 2 parking spaces would be required per dwelling in line with the Buckinghamshire Countywide Parking Guidance. 17 parking spaces would be provided across the development which would exceed that recommended by the Council's guidance. Officers are satisfied that adequate off-street parking provision has been provided for.
- 5.18 Concerns have been raised regarding the access within the application site, specifically the access serving Building B to the south of the site. Highway officers have not raised any issues with this arrangement and therefore a reason for refusal would not be substantiated on this matter alone. Highway officers initially raised issues regarding the transport sustainability of the location to support residential accommodation. However, as the residential use has been shown to result in less vehicular trips than the equestrian use, these concerns have been overcome. Matters pertaining to the sustainability and distances to services have been addressed in the report above.
- 5.19 Overall, the proposal would not result in any unacceptable impacts on the adjacent highway network. Levels of parking which align with the Buckinghamshire Countywide Standards would be provided and therefore highway matters are given neutral weighting in the planning balance.

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)

- 5.20 The proposed development would result in the conversion of the existing brick built stable buildings. The conversion of the building would result in the introduction of new openings within the building for additional doors and windows, and where possible the existing brickwork would be re-used. Whilst the buildings would change to a residential appearance, the design of the alterations are considered sympathetic and would reflect the former use as stables.
- 5.21 In addition to the changes to the buildings, it is proposed to make alteration to the landscaping adjacent to the stable buildings. Areas of private amenity would be created, together with shared amenity space and soft landscape buffering around the buildings. The proposed external changes would be satisfactory in terms of the impact on the visual amenities of the wider site.
- 5.22 It is recognised that the proposed development would introduce further residential uses on the site. However, it is considered that further residential uses would not detract from the character or appearance of the site or surrounding area. Both the site and surrounding area is predominately residential in character. In summary, the proposed development would not adversely impact upon the character or appearance of the site or locality in general. This matter is attributed neutral weight in the planning balance.

Amenity of existing and future residents

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

H11 (Alterations and extensions to dwellings)

- 5.23 The proposed development would not result in the enlargement of the existing built form. As such, the proposed development would not result in any undue visual impacts on the nearest properties, Garden Cottages which are located opposite Building A. New window openings would be introduced on the front and side elevation of Building A. However, due to the combination of orientation and separation distance of 39m, the proposed development would not result in any unacceptable harm in terms of overlooking opportunities.
- 5.24 The same considerations would apply to Building B, some 120m south of Building A. Due to the location and separation distances to surrounding properties, it is considered that no undue impacts in terms of residential amenities.
- 5.25 In terms of the use of the buildings, the proposed residential use would be considered an improvement to the nearest properties in respect of noise and disturbance and general activity.
- 5.26 The proposed dwellings have all be designed to meet the national space standards and would be served by both areas of private amenity space and shared amenity space. In addition, each residential unit would benefit from acceptable levels of light and

outlook. The layout of the proposed residential units would also not lead to any undue impacts in terms of overlooking or privacy. Overall, it is considered therefore that future residents of the proposed development would be served by a satisfactory level of amenity. Noting the above, this matter is attributed neutral weighting in the planning balance.

Environmental issues

Core Strategy Policies:

CP12 (Sustainable energy)

CP13 (Environmental and resource management)

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

5.27 No objections are raised from the Council's Environmental Health officers in terms of contaminated land or noise.

5.28 The Council's Waste officer has reviewed the application and is satisfied that the site can be serviced from a refuse point of view. Waste services will serve the proposed residential units as per the existing arrangement on site.

Flooding and drainage

Core Strategy Policies:

CP13 (Environmental and resource management)

5.29 The application site is located in Flood Zone 1 and is not subject of any surface water constraints. The applicant has indicated that surface water drainage and foul water would connect into existing services. The applicant has advised that the existing drainage system has capacity to support the proposed development. The Council as the Lead Local Flood Authority has raised no objections to the proposed development in relation to flooding and surface water matters.

Water Efficiency

5.30 Policy CP13 sets out various infrastructure requirements for new developments, including ensuring they will be served by adequate infrastructure capacity in terms of water supply. A 2021 Ministerial Statement (New water saving measures to safeguard supplies - GOV.UK (www.gov.uk)) on reducing demand for water, included an action to write to local authorities to encourage them to adopt the optional minimum building standard of 110 litres per person per day in all new builds where there is a clear local need, such as in water stressed areas. Normally, such measures are controlled under the Building Regulations, but in this case, this standard is not covered. It was recognised that by adopting this standard, Local Authorities in England would help meet the Government's proposed Water Demand Target under the Environment Act 2021. The application site is in an area of serious water stress, as defined by the Environment Agency, requiring water efficiency opportunities to be maximised. As such, in the event of permission being granted, a condition to ensure this standard is adopted is considered necessary, to mitigate the impacts of climate change, in the interests of sustainability, and to use natural resources prudently, in line with Core Strategy Policy CP13 and Section 14 of the NPPF, 2021.

Landscape Issues

Core Strategy Policies:

CP9 (Natural environment)

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP4 (Landscaping)

L4 (River Thames setting)

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

5.31 Due to the nature of the proposal, the conversion of the buildings would not impact on any of the adjacent trees.

5.32 In terms of landscaping, a general landscaping scheme has been submitted as part of the application which seeks to maintain and enhance the natural environment with additional soft landscaping. In terms of the parking areas, these are to be finished in gravel. The soft and hard landscaping is considered acceptable in principle. Further planting details in relation to specific species and details would be secured by planning condition. Overall, it is considered that the proposals would improve the natural landscaping of the site.

Ecology

Core Strategy Policies:

CP9 (Natural environment)

CP13 (Environmental and resource management).

5.33 The Councils Ecology Officer raises no objections to the proposals, advising that the proposal would not adversely impact upon existing wildlife, including protected species. In terms of Biodiversity Net Gain, this is an approach to development, and/or land management, that aims to leave the natural environment in a measurably better state than it was beforehand. The Environment Act 2021 sets out the key components of mandatory biodiversity gain, and sets a requirement for 10% BNG, which is due to come into force in November 2023. Prior to this date, development proposals need to demonstrate measurable gains in biodiversity in accordance with the National Planning Policy Framework (NPPF) and relevant Local Planning policies, policy CP9 in this instance.

5.34 Buckinghamshire Council also has an adopted Biodiversity Net Gain Supplementary Planning Document which sets out that Buckinghamshire Council has an aspiration to achieve at least a minimum 10% net gain.

5.35 In this instance, the proposals will result in the creation of 0.17 habitat units (equivalent to 73.56% on-site net change) which is clearly in excess of the minimum preferred increase. Therefore, it has been demonstrated that the development will result in a biodiversity net gain in line with the NPPF and a net gain of over 10% in habitat units in line with the requirements of the Environment Act which is due to come into place next year. This is considered a benefit to the natural environment, and given its exceedance of the minimum desired increase, it is considered that it attracts moderate weight in favour of the proposals.

5.36 In relation to protected species, the application is supported by a Preliminary Ecological Assessment and a Roost Assessment Report, concluding that bats are present within the subject buildings. As such, an appropriate licence would need to be sought from Natural England before any works on site commence. The Council's Ecologist has confirmed that this can be controlled by planning condition.

Burnham Beeches – Special Area of Conservation (SAC)

- 5.37 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.
- 5.38 Natural England state that when there is sufficient scientific uncertainty about the likely effects of 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.
- 5.39 Due to new evidence on the impacts of recreational and urban growth at Burnham Beeches SAC carried out by Footprint Ecology, Natural England recognises that new housing within 5.6km of the Burnham Beeches SAC can be expected to result in an increase in recreation pressure. The 5.6km zone represents 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 of development.
- 5.40 Impacts to the SAC as a result of increasing recreation pressure are varied and have long been a concern. These impacts, which have the potential to adversely affects its interest features, include: Contamination (e.g. dog fouling, litter, spread of plant pathogens);⁹ Increased fire risk; Trampling/wear (e.g. loss of vegetation, soil compaction, erosion, damage to trees from climbing); Harvesting (e.g. fungi, wood); Difficulties in managing the site (e.g. maintaining the grazing regime); Disturbance (e.g. affecting the distribution of livestock and deer).
- 5.41 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.
- 5.42 Given the above, the Council has carried out an Appropriate Assessment for the proposed development. This concludes that without mitigation measures the development is likely to have a significant effect upon the integrity of the SAC with the result that the Council would be required to refuse this planning application.
- 5.43 In order to mitigate such impacts, the Council has adopted a Strategic Access Management and Monitoring Strategy (SAMMS) and the Council’s approach is set out in the Burnham Beeches Special Area of Conservation (SAC) Mitigation Strategy SPD (adopted March 2020). The Council consider that the SAMMS, which is supported by Natural England, is robust and capable of mitigating the likely significant effects of the

proposal over 500 metres and up to 5.6 kilometres provided the proposal pays a contribution towards the SAMMS.

- 5.44 The applicant has confirmed that they are willing to enter into the planning obligation to secure the contribution. A planning obligation 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.

Infrastructure and Developer Contributions

Core Strategy Policies:

CP6 (Local infrastructure needs)

- 5.45 The development is a type of development where CIL would be chargeable.
- 5.46 Other than the identified financial contribution towards Burnham Beeches SAC Mitigation, it is considered that there would not be other types of infrastructure, that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure. Having regard to the statutory tests in the Community Infrastructure Levy regulations and the National Planning Policy Framework it is considered that the following planning obligation(s) are required to be secured within a Unilateral Undertaking:

- Burnham Beeches SAMMS payment

- 5.47 The applicant has confirmed that they are willing to enter into a legal agreement.

Other Matters

- 5.48 A number of representations have been made regarding the status of land within the overall site of Cliveden Stud Farm. It is recognised that many of the dwellings within the overall site are subject to restrictions for agricultural occupancy, specifically relating to employees linked to the use of the site as a stud farm.
- 5.49 However, the stables subject of the application would meet the exceptions to inappropriate development in the Green Belt as set out in 150 d of the NPPF. There are no planning policies which would restrict the conversion of the subject stable buildings.
- 5.50 Whilst comments are noted in relation to the employment status of the site, it is clear that the parts of the site have not been used to stable horses for a number of years. Officers note that the subject site is not afforded any protection in line with Core Policy 10 of the South Bucks Core Strategy which refers to the retention of employment uses within Use Class B.
- 5.51 It is accepted that there would be a potential loss of some employment through the conversion of the stables. However, due to the reasons outlined above, together with the fact that the Council has accepted the loss of the ancillary offices used as part of the stud farm under planning reference PL/22/3274/FA, it is considered that any harm to employment matters through the conversion of the stables would be outweighed by the other benefits as part of this application. The balancing of issues is addressed in the section below.

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 It is acknowledged that the Council cannot demonstrate a five-year supply of deliverable housing sites in the South Bucks Area. It is also acknowledged that The Framework, at paragraph 11 is clear that in such circumstances, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed.
- 6.4 As set out above it is considered that the proposed development would accord with the Green Belt policies as set out in the NPPF, and the site's proposed redevelopment will make effective and efficient use of previously developed land.
- 6.5 Housing delivery is a strategic aim of the Core Strategy. The proposed development would make a positive contribution to the Council's housing needs and supply. This housing provision represents a benefit that weighs in favour of the proposal and when taking into consideration the level of need, and the number of homes being provided, it is considered that this should be attributed moderate weight.
- 6.6 The proposals would result in an approx. 73% increase in BNG, which is a benefit to the ecology and biodiversity of the site and goes beyond the minimum 10% figure that is aspired to by the council. This is considered a benefit that weighs in favour of the proposal, and given the level of increase, it is considered that this should be attributed moderate weight.
- 6.7 Compliance with National and Local Plan policies have been demonstrated in terms of visual impact, preserving residential amenities, parking and access, meeting the challenge of climate change and flooding, and conserving and enhancing the natural environment, however these do not represent benefits of the scheme but rather demonstrate an absence of harm to which weight should be attributed neutrally.

- 6.8 In terms of applying paragraph 11 d of the NPPF it is concluded that there are no policies that protect areas or assets of particular importance, that provide a clear reason for refusing the development proposed and there are no adverse effects of the proposal that would significantly and demonstrably outweigh the benefits.
- 6.9 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, the applicant was advised of any issues and provided the opportunity to respond to and submit amendments when necessary.

8.0 Recommendation: Defer and delegate the application to the Director of Planning and Environment to GRANT planning permission subject to the conditions below and any others which he considers appropriate and the satisfactory prior completion of a Planning Obligation to secure a financial contribution towards Burnham Beeches SAC SAAM. If the Legal Agreement cannot be completed the application be refused for such reasons as the Director of Planning and Environment considers appropriate.

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. A schedule of materials to be used in the elevations of the development hereby permitted shall be submitted to and approved by the District Planning Authority in writing prior to the commencement of any construction works above ground level. Thereafter the development shall be carried out in accordance with the approved details.
Reason: To safeguard and enhance the visual amenities of the locality. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refer.)
3. Prior to the commencement of the development hereby permitted a specification of all finishing materials to be used in any hard surfacing of the application site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed using the approved materials. (SM02)
Reason: To ensure that such works do not detract from the development itself or from the appearance of the locality in general. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
4. Notwithstanding any indications illustrated on drawings already submitted, no development shall take place until a scheme of landscaping which shall include indications of all existing trees, shrubs and hedgerows on the site and details, including crown spreads, of those to be

retained has been submitted to and approved in writing by the Local Planning Authority. None of the trees, shrubs or hedgerows shown for retention shall be removed or felled, lopped or topped within a period of five years from the date of this permission, without the prior written permission of the Local Planning Authority. (ST01)

Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme which within a period of five years from the occupation or substantial completion of the development, whichever is the later, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. (ST02)
Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)
6. The scheme for parking 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.
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.
7. The following works shall not in any circumstances commence unless the local planning authority has been provided with either: a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitat and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.
Reason: To comply with the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended) and to protect species of conservation concern.
8. The development shall be implemented in strict accordance with the agreed bat mitigation and enhancement measures as detailed in the Ecological Mitigation & Enhancement Strategy, produced by Focus Environmental Consultants and dated July 2023. 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: To comply with the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended) and to safeguard species of conservation concern.
9. No development shall take place (including demolition, ground works, vegetation clearance) unless and until the 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 loft, bat boxes and bird boxes.
 - 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.
- 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: Natural Environment of the South Bucks District Core Strategy and ensuring that the proposed development achieves a net gain in biodiversity.

10. Prior to occupation, a "lighting design strategy for biodiversity" shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To safeguard protected species that may otherwise be affected from the development.

11. Reporting of Unexpected Contamination: 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, and where remediation is necessary a remediation scheme must be prepared, 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.

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.

12. Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Classes A to E of Part 1 of Schedule 2 to the said Order shall be erected, constructed, or placed within the application site unless planning permission is first granted by the Local Planning Authority.
Reason: In order that the Local Planning Authority can properly consider whether any future proposals would have a detrimental impact on the Green Belt or will in any other way be detrimental to the character of the dwelling or locality.
13. Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no means of enclosure falling within Class A of Part 2 of Schedule 2 to the said Order, or those which are approved by this planning permission and subsequent approval of conditions of this planning permission, shall be erected, constructed, or placed within or around the application site unless planning permission is first granted by the Local Planning Authority.
Reason: In order that the Local Planning Authority can properly consider whether any future proposals would have a detrimental impact on the Green Belt or will in any other way be detrimental to the character of the dwelling or locality.
14. The dwelling(s) hereby approved shall be constructed to meet, as a minimum, the higher standard of 110 litres per person per day using the fittings approach as set out in the 'Housing: optional technical standards' guidance and prescribed by Regulation 36(2)(b) of the Building Regulations 2010.
Reason: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised; to mitigate the impacts of climate change; in the interests of sustainability; and to use natural resources prudently, and in accordance with Policy 13 the South Bucks Core Strategy (adopted February 2011) and Section 14 of the National Planning Policy Framework, 2021.
15. This permission relates to the details shown on the approved plans as listed below:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
15 Aug 2023	P20-3303_11 01 Rev A
21 Nov 2022	P20-3303_11 02
21 Nov 2022	P20-3303_11 10
21 Nov 2022	P20-3303_11 15
21 Nov 2022	P20-3303_11 16
21 Nov 2022	P20-3303_11 17
21 Nov 2022	P20-3303_11 18
21 Nov 2022	P20-3303_11 19

INFORMATIVE(S)

1. All wild birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Consequently you should take adequate precautions to ensure that any tree work does not cause any disturbance to birds and their nests particularly during the normal nesting season of March to August. Similarly all bats and their roosting sites are protected by the same legislation so precautions should also be taken to avoid carrying out activities which might harm or disturb bats or their roosts.

2. 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.

3. 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)

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Cllr. Sandy:

As ward councillor for Burnham Lent Rise, Dorney & Taplow I'm writing to confirm that following a request from Taplow Parish Council I wish to confirm that this application should be brought before the Planning Committee for assessment. Would also mention that at a recent training session for Committee Members we were advised to ensure that all applications in the Green Belt should be treated seriously by the PCtee. Material planning considerations are; GB1, GB7, EP3 R5, and Core Policies; 1, 3, 7, 8, 9 & 10.

Cllr. Chhokar:

The application raises various wider issues including assessment of sustainability of proposed developments and impact of developments on the Green Belt, I believe that it will be beneficial for further consideration by the Committee.

Taplow Parish Council Comments

Condition restrictions

The identified site is within the larger site known as Cliveden Stud. This site was originally permitted as an equine horse stud and as such all residences built on the site were required to be conditioned for occupancy only by persons involved in equine or agricultural work. This overarching condition has not changed and the restrictions will apply to any further residences. This condition is not noted in the application, which presumably expects the residences to have no such condition, which is incorrect. It is clear that the present owners have no intention to operate or develop any equine or agricultural activities but this does not relieve them of the obligation. They would have been well aware of this when purchasing the site. Given that across the Cliveden Stud site there are already residences that are empty as no tenants can be found to meet the condition, these properties, if developed, would then stand empty alongside these earlier ones. This would create form of planning blight quite unacceptable in this rural Green Belt area.

Sustainable development

The site is isolated, away from any facilities, and with no public transport, requiring vehicle use for all journeys. This is not sustainable development. Houses in this area might be permitted for agricultural workers but as we have seen above there is no demand for this. There is no evidence of exceptional circumstances as defined in the NPPF.

Access

Block 2 in particular is a long way down a single lane cart track. Any acceptable development would require this to be upgraded to support both regular and emergency vehicle access. Such work would need to be conditioned in the application for it to be acceptable. The application should be refused.

Cllr. Norton (Taplow Parish Council)

I object to the application Ref PL/22/4027/FA for the following reasons.

1. The Estate of Cliveden stud has been allowed to fall in disrepair for several years now. There has been no general upkeep of the equestrian facilities with an obvious objective for the current owner to develop this into residential. This is despite strict agricultural ties attached to the said Estate, which the owner would have been aware of when he purchased the Estate.

In fact, the current owner has removed all equestrian tenants from the estate for a few years now, leaving equestrian facilities vacant. This is despite there being a constantly strong demand for good equestrian facilities in the local area.

2. There have been multiple instances of tenants living in various properties within the estate who have not been associated with the agricultural running of the estate. This contravenes the strict agricultural ties which are attached to this Estate.
3. The Estate is situated in an area of Green Belt. The fundamental principles behind Green Belt land is to prevent urban sprawl and keeping land between built-up/urban areas permanently open. Development within the Green Belt can only occur in "exceptional circumstances". The proposed planning application does not constitute to exceptional circumstances.
4. Cliveden National Trust is one of the top five main attractions within the United Kingdom. Part of the popularity and success of such attraction is down to the unique, open and green belt setting this estate has within the highly developed south east. The Cliveden Stud Estate is opposite Cliveden National Trust land. Any development on the stud would have a negative visual effect on Cliveden National Trust. Furthermore, any construction within the Estate would cause the access roads around the area to be congested. Huntswood Lane, Cliveden Road and Taplow Common Road would be the only access roads used and all of these roads are not suitable for construction traffic.
5. Some of the stables in question are visible from the roads. This would detract from the visual amenity of the local area.

Consultation Responses

Environmental Health (Noise) Received: 31st Jan 2023

The application and associated documents in respect of this case have been reviewed. As a result, Environmental Health do not have any comments to make in respect of this application.

Environmental Health (Contaminated Land) Received: 9th March 2023

Historical mapping for this area is limited, Cliveden Stud is shown on the map for the 1955-1974 epoch, the site layout is similar to that shown on the raster map, no changes are shown on the subsequent maps.

Online mapping shows that there were buildings on site in the late 19th century, buildings are shown at the location of stables 1 on the map published in 1882, further buildings are shown on the map published in 1925, there does not appear to be much change on the subsequent available maps.

The site does not appear to have had a previous contaminative use. The proposed development will have a sensitive end use, however, the proposals do not include private gardens. The proposals include a communal landscaped amenity area, areas of outdoor amenity and amenity areas with landscaping.

Any unexpected contamination encountered during the development shall be reported to the LPA.

Based on this, a condition is recommended on this and any subsequent applications for the site.

Ecology Officer: Received 2nd August 2023

No objection, subject to conditions.

Following our previous comments (dated 1st March 2023 and 6th June 2023) an Ecological Mitigation & Enhancement Strategy (Focus Environmental Consultants, July 2023) was submitted. The document addresses protected species mitigation and enhancement measures (i.e. installation of bird boxes) and provides information for a dedicated bat loft within Building 1 to provide 'like for like' replacement roosting space to brown long-eared bats and also provide roosting opportunities

to other bat species. We agree with the bat loft provision and the mitigation measures and biodiversity enhancement features and would recommend that these measures are secured via a compliance condition. A Natural England European Protected Species licence will be required to proceed with the proposed works. I would recommend that the licence is secured via a condition to any approval granted.

The site lies within the South Bucks Heaths and Parklands Biodiversity Opportunity Area (BOA). Buckinghamshire's Biodiversity Opportunity Areas identify habitat creation and restoration priorities for different parts of the county using a targeted landscape-scale approach. Target habitats for creation and restoration within the South Bucks Heaths and Parklands BOA include lowland heathland, lowland dry acid grassland, lowland calcareous grassland, lowland fen, lowland meadows, hedgerows, ponds, traditional orchards, wood pasture and parkland. Development proposed within, or adjacent to a BOA is required to identify constraints and opportunities for biodiversity enhancement. The design and layout of the development should help to achieve the aims of the BOA. The site is within approximately 22m of NERC Act 2006 Section 41 Habitat of Principal Importance Deciduous Woodland and within approximately 100m of Local Wildlife Site Cliveden Estate.

Biodiversity Net Gain

Biodiversity Net Gain (BNG) is an approach to development, and/or land management, that aims to leave the natural environment in a measurably better state than it was beforehand.

The Environment Act 2021 sets out the key components of mandatory biodiversity gain. There is a transitional two-year implementation period with the mandatory requirement for 10% BNG due to come into force in November 2023.

During the transition period, the development proposals need to demonstrate measurable gains in biodiversity in accordance with the National Planning Policy Framework (NPPF) and relevant Local Planning policies. Buckinghamshire Council has an adopted Biodiversity Net Gain Supplementary Planning Document (BNG SPD) which provides further information on how BNG can be achieved in Buckinghamshire. Buckinghamshire Council has an aspiration to achieve at least a minimum 10% net gain.

According to the information that was submitted the proposed development is likely to result in a biodiversity net gain of 0.17 habitat units (equivalent to 73.56% on-site net change) which is in line with the NPPF. I would recommend that a Landscape Ecological Management Plan (LEMP) is submitted to address the long-term management of the habitats to be created and secured via a condition to any approval granted.

Artificial Lighting

Bats may be impacted by artificial lighting as a result of the proposed development. Artificial lighting design needs to be designed in accordance with the 'Guidance Note 08/18: Bats and artificial lighting in the UK' (Institute of Lighting Professionals, 2018).

Sources of lighting which can disturb bats are not limited to roadside or external security lighting, but can also include light spill via windows, permanent but sporadically operated lighting such as sports floodlighting, and in some cases car headlights.

Where bat features or habitats are particularly important or sensitive it may be appropriate to avoid, redesign or limit lighting accordingly. Examples of mitigation measures include dark buffers, illuminance limits and zonation, appropriate luminaire specifications, sensitive site configuration, screening, glazing treatments, creation of alternative valuable bat habitat on site, dimming and

part_night lighting. Refer to Guidance Note 08/18 by the Institute of Lighting Professionals for more details.

Light Spillage and Lighting Plans

Lighting details are required to understand the impacts of the proposals. An illuminance plan/contour plots should be provided which show the extent of light spill and its intensity (minimum and maximum lux values). Models should include light from all luminaires, and each should be set to the maximum output anticipated to be used in normal operation on site.

The proposed security lighting is PIR controlled and uses LED technology and cowls/hoods to direct light spill. It is considered that these features reduce the impact of artificial lighting on nocturnal species such as bats to within reasonable limits – adjacent hedgerows are not lit, lights are off when not in use and lights are not necessary in summer months when bats are most active.

Timing of Lighting Use

Bats emerge from their roosts and start foraging at dusk (approximately 30 minutes after sunset). Impacts on bats can therefore be reduced by restricting the times at which lights can be switched on. During winter (November to March) bats are usually hibernating, so there is no restriction on lighting times. During the summer months, bats emerge later, and it is likely that floodlighting, sports lighting etc will not be needed anyway. Impacts on bats are higher in the April/May and September/October time periods when bats emerge earlier when most lighting will be on. The impact on bats is increased after mid-October when we change from British Summer Time by subtracting an hour.

I would recommend that a lighting scheme is submitted and secured via a condition to any approval granted.

Bats

All bat species and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended) and are European Protected Species, protected under The Conservation of Habitats and Species Regulations 2017 (as amended). It is therefore illegal to kill, injure or handle any bat or obstruct access to, destroy or disturb any roost site that they use.

A High Court ruling concluded that local authorities must consider all applications where European Protected Species are likely to be affected and a European Protected Species licence is required, by considering the three tests applicable to the Habitats Directive. The ruling stated the following: "When dealing with cases where a European Protected Species may be affected, a planning authority... has a statutory duty under Regulation 3(4) to have regard to the requirements of the Habitats Directive in the exercises of its functions. Further the Directive's provisions are clearly relevant in reaching planning decisions, and these should be made in a manner which takes them fully into account ...". Before granting planning permission, the local planning authority should satisfy itself that the impacts of the proposed development on European Protected Species (EPS) have been addressed and that if a protected species derogation licence is required, the licensing tests can be met and a licence is likely to be granted by Natural England.

As a EPS licence is required the applicant will need to provide the answers to all three licensing tests, alongside a mitigation strategy. The three tests are that:

1. the activity to be licensed must be for imperative reasons of overriding public interest or for public health and safety;
2. there must be no satisfactory alternative; and
3. favourable conservation status of the species must be maintained.

Together with the ecologist's report, which answers test 3, the applicant should provide written evidence for tests 1 & 2. This can be contained within the ecological report or as separate document. If the competent authority is satisfied that the three tests can be met, it should impose a planning condition preventing the development from proceeding without first receiving a copy of the EPS licence or correspondence stating that such a licence is not necessary. This approach ensures compliance with the Conservation of Habitats and Species Regulations 2017(as amended) and enables a local planning authority to discharge its obligations under the Crime and Disorder Act and its wider duties under Section 40 of the Natural Environment and Rural Communities Act 2006 in relation to protected species.

Highways Development Management: Received 2nd June 2023

The Highway Authority has previously commented on this application dated 14th February 2023. These comments ultimately requested additional information regarding the site's existing lawful trip generation potential, to determine whether the site and access will be subject to an intensification in use.

Having reviewed further submissions, particularly the additional information submitted on 27th February, it has been confirmed that the stable buildings are for commercial equestrian purposes, and they comprise of 28(no) looseboxes. As such, the existing lawful use of the site has the potential to generate approximately 60(no) two-way vehicle movements, with a reasonable expectation that a proportion of these trips will be made by larger vehicles with horse trailers. It should be noted that the trip generation refers to potentials rather than the current level of vehicular movements experienced on site.

Taking into consideration the number of movements expected in association with the proposed development as mentioned within previous highways comments, I consider the development to represent a reduction in the trip generation of the site. As the site will be subject to a reduction in vehicular movements, I consider the proposal to be an improvement over the existing situation, therefore I have no objections to the access arrangements in this instance.

Mindful of these comments, I do not have any objections to this application with regard to highway issues subject to a condition.

Highways Development Management: Received 14th February 2023

Cliveden Road is a C-classified road subject to the national speed limit in this location. This application proposes conversion of 2(no) equestrian buildings to form 7(no) residential units with associated parking and landscaping.

When considering trip generation, I would expect a dwelling in this location to generate approximately 6 vehicular movements (two-way) per day. Therefore in terms of trip generation from the site, the 7(no) dwellings would have the potential to generate approximately 42 daily vehicular movements (two-way). Having assessed the documents submitted in support of the application, I note there is no information regarding the movements associated with the lawful use of the commercial equestrian buildings when in full operation. Therefore, it is not clear whether the access serving the site will be subject to an intensification in use.

Furthermore, there is a lack of comparable sites of this nature within the TRICS® (Trip Rate Information Computer System) database, and so I am not in a position to accurately determine the potential trip generation of the existing site. Further information from the applicant which includes an existing trip generation based on a first principles approach will be required from the applicant to determine whether the development will intensify the site.

Nonetheless, the access arrangements serving the site have been assessed in order to determine its suitability to accommodate the vehicular movements anticipated. In accordance with guidance contained within Manual for Streets, visibility splays of 2.4m x 154m are required in both directions commensurate with a speed limit of 60mph. Having reviewed the proposed plans, I am satisfied that sufficient visibility splays can be achieved from the access in the southern direction along Cliveden Road. However, a splay of only approximately 2.4m x 120m can be achieved in the northern direction. Due to the shortfall in required visibility splays, I would request that the applicant submits a 7-day ATC speed survey in order to ascertain true 85%ile vehicle speeds at the access point. The result of this survey may allow the Highway Authority to consider reduced visibility splays in line with recorded 85%ile vehicle speeds, and would help determine whether the shortfall in splays and possible intensification in use of the access would be acceptable in this instance.

In regard to parking, having assessed the development using the Buckinghamshire Countrywide Parking Guidance policy document, I note the dwellings which are situated in Residential Zone B, require 2(no) spaces each. Having assessed the proposed plans, I am satisfied that the optimum of level of parking can be achieved within the site.

Whilst I note concerns have been raised regarding the width of the access track that leads to Block 2, given that this track will only lead to 2(no) dwellings, and it is distant from the publicly maintained highway, it is my opinion that this is a design and/or amenity issue and not a highway safety concern.

It is recognised that the site is located within a rural area, remote from any local services and public transport links. The site is therefore not considered sustainable in the context of the transport requirements of the National Planning Policy Framework and would be reliant on the use of the private motor vehicle. However, it is recognised that other policies of the Framework support the principle of farm diversification and that accessibility to non-car modes will not be as well provided for in rural areas as they would be in urban areas. As such, I trust that the Planning Authority will determine whether the location of the site is suitable in relation to opportunities to maximise sustainable transport solutions.

Nonetheless, as previously mentioned, should the trip generation of the site's existing lawful the site be demonstrably lower than the proposed use, concerns over the provision of residential units in an unsustainable location would be overcome. This would be due to the proposed development being considered an improvement when compared with the existing use, as vehicular trips associated with the site would be reduced.

Waste Management Received: 20th March 2023

The applicant's response addresses concerns around exact collection points as this detail was not supplied within the planning application. So, this response provides this in more detail and therefore can approve.

Waste Management Received: 15th February 2023

I have looked at the plans and within the planning statement it is described as existing bin collection arrangements for the wider site will be utilised for both units. Cliveden Stud House is accessed from coded gate currently and block A would be serviced in the same way, however, block B is considerably further back within the site. A plan needs to be included which shows bin collection point for both block A and B along with access for waste vehicle if block B will not be presenting bins for collection in the vicinity of block A.

Will have to reject at this point until further detail is supplied to meet these requirements.

Representations

Amenity Societies/Residents Associations

Hitcham & Taplow Society

There have been many objections to this application. Specifically, the point raised by Taplow Parish concerning the status of the site as an Equine Horse Stud should be considered and answered by the Planning Committee. It is absurd that on a single site on which houses stand empty an application for additional housing could be approved.

The Hitcham and Taplow Society has represented the residents of Taplow for over sixty years and we strongly support the call-in to committee of the application.

Other Representations

17 comments have been received objecting to the proposal and these are summarised as follows:

- Concerns regarding the severing of the equestrian ties to the land
- Reference to illegal dumping of waste on the land
- Unacceptable impact on the Green Belt
- Proposed development is isolated and not sustainable
- Lack of amenity for occupiers of the development
- Lack of public transport
- No local shopping facilities to serve the development
- Increased activity would have undue impact on the Green Belt
- Residential use is more intensive than the existing livery use
- Proposal would have an urbanising effect on the area
- Undue impacts of vehicle movements in terms of Green Belt and residential amenity
- Planning clauses on the site prevent the land from being used for anything other than a stud farm.
- Highway safety and access concerns
- Reference to agricultural occupancy conditions placed on several properties within the stud farm complex
- Proposal provided no private amenity space nor a satisfactory standard of development for future occupants
- The site is isolated and not sustainable in terms of physical infrastructure and services
- The Stud Farm has been run down with no general up keep
- Proposal appears to be for monetary gain
- Proposal would have negative impact visually on the Cliveden National Trust land.
- Principles of Green Belt is to prevent urban sprawl
- Stable buildings are visible from public vantage points and would detract from visual amenity of the area.