



## Strategic Sites Committee minutes

Minutes of the meeting of the Strategic Sites Committee held on Thursday 28 September 2023 in The Oculus, Buckinghamshire Council, Gatehouse Road, Aylesbury HP19 8FF, commencing at 10.00 am and concluding at 3.47 pm.

### Members present

A Bond, P Cooper, T Egleton, P Fealey, S Lewin, R Newcombe, J Ng, M Rand, A Turner (Chairman), J Waters (Vice Chairma) and A Wheelhouse

### Agenda Item

#### 1 Apologies for absence

Apologies for absence were received from Councillor Neil Marshall.

#### 2 Minutes

**Resolved:** The minutes of the meeting held on 8 June 2023 were **agreed** as an accurate record and were signed by the Chairman.

#### 3 Declarations of interest

There were no declarations of interest.

#### 4 **PL/20/4332/OA - Land to the north of A4007, Slough Road (between Junctions 15 and 16 of M25), Iver Heath, Buckinghamshire**

Proposal: Outline application for a Motorway Service Area between M25 Junctions 15 and 16 near Iver Heath with all matters reserved, comprising vehicular access from the M25 including new overbridge and realignment of the A4007 Slough Road, a controlled vehicular access from the A4007 for emergency vehicles only, including a staff drop off point and associated footway works to Slough Road, facilities buildings, Drive-Thru, fuel filling stations, electric vehicle charging, parking facilities, service yard, vehicle circulation, landscaping, woodland and amenity spaces, Sustainable Drainage Systems, a diverted public bridleway; together with associated mitigation and infrastructure and with earthworks / enabling works including mineral extraction.

A site visit was carried out on 22 November 2022.

A statement was read out on behalf of local ward member Councillor Paul Griffin by Sally Taylor, Senior Democratic Services Officer.

Speaking as local ward member, Councillor Luisa Sullivan.

Speaking as local ward member, Councillor Wendy Matthews.

A statement was read out on behalf of Councillor Julie Cook, Iver Parish Council, by Sally Taylor, Senior Democratic Services Officer.

Speaking as objectors, David Rolinson, Katy Barton and Stewart Pomeroy.

Speaking as a supporter, Ann Bartaby.

Speaking on behalf of the applicant, Tom Jeremiah.

It was proposed by Councillor Jonathan Waters and seconded by Councillor Patrick Fealey and agreed at a vote.

**Resolved:**

1. That the decision be delegated to the Director of Planning and Environment for **APPROVAL subject to**
  - A) Referral to the Secretary of State in accordance with The Town and Country Planning (Consultation) (England) Direction 2021 on Green Belt grounds; and
  - B) The granting of satisfactory consents by the Secretary of State pursuant to the Green Belt (London and Home Counties) Act 1938 (as amended).
  - C) 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
  - D) 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 these 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 the application has not been called-in by the Secretary of State and;
  - (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 the erection of buildings on the land and 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.

And **subject to** the first sentence of condition 37 being amended to read:

The details to be submitted under condition 3 (layout and appearance) should include details of Electric Vehicle Charging provision to include a minimum 100 **active** spaces to meet future demand, and/or, any details for the provision for any alternative (non-fossil) fuels for vehicles (including hydrogen fuelling), shall be submitted to and approved in writing by the Local Planning Authority.

The Chairman also agreed to write, in conjunction with officers, to the relevant Cabinet Member, to request a discussion on the matter of ensuring adequate electrical supply to the area.

**5 CM/0036/21 - Land Adjacent to M25 between Junctions 15 and 16, Iver Heath, Buckinghamshire**

Proposal: 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).

A site visit was carried on 22 November 2022.

Speaking as local ward member, Councillor Luisa Sullivan.

A statement was read out on behalf of Councillor Julie Cook, Iver Parish Council, by Sally Taylor, Senior Democratic Services Officer.

Speaking as an objector, Chris Jarvis.

Speaking on behalf of the applicant, Tom Jeremiah.

It was proposed by Councillor J Waters and seconded by Councillor J Ng and agreed at a vote.

**Resolved:**

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.

**And subject to** an additional condition to state that once the new slip roads have been constructed and available for use to access the mineral extract site there will be no access to the site for staff onto/from Slough Road during the works, all access thereafter will be via the M25.

**6 PL/22/1411/OA - Land between Junctions 16 and 17 of the M25, Near Chalfont St Peter, Buckinghamshire**

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.

A site visit was carried out on 22 November 2022.

Speaking as local ward member, Councillor Linda Smith BEM.

Speaking as local ward member, Councillor Jonathan Rush.

Speaking as local ward member, Councillor Isobel Darby.

Speaking as a representative of Chalfont St Peter Parish Council, Councillor Tony Shinner.

Speaking as objectors, Ann Bartaby and Stewart Pomeroy.

Speaking on behalf of the applicant, Barry Cansfield.

It was proposed by Councillor R Newcombe and seconded by Councillor P Cooper and agreed at a vote.

**Resolved:**

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 obstruction 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.

*Note 1: A comfort break was taken between 11.43 and 11.53 am*

*Note 2: A lunch break was taken between 12.34 and 13.12 pm*

*Note 3: A comfort break was taken between 14.39 and 14.49 pm.*

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