



Report to South Area Planning Committee

Application Number:	PL/24/0284/FA
Proposal:	Demolition of agricultural building, construction of three bed single storey dwellinghouse, and laying of hardstanding.
Site location:	Dukes Kiln Farm Windsor Road Gerrards Cross SL9 8SR
Applicant:	The Stem Property Group Ltd
Case Officer:	Ian Severn
Ward affected:	Denham
Parish-Town Council:	Fulmer Parish Council
Valid date:	29 January 2024
Determination date:	3 May 2024
Recommendation:	Conditional permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application has been called before the Planning Committee for determination by Councillor Jaspal Chhokar for consideration with particular regard held to Green Belt assessment.
- 1.2 The application proposes the demolition of an existing unused agricultural building and the erection of a dwellinghouse including a 'winter garden', boundary treatment and hardstanding.
- 1.3 The proposal constitutes inappropriate development within a Green Belt location, however, it is considered that in this instance, 'Very Special Circumstances' exist which warrant an exception to normal Green Belt policy. The current proposals are considered to result in less harm than the previously approved scheme which allowed the conversion of the existing building into a dwelling.
- 1.4 Therefore, the Officer's assessment with regards to Green Belt considerations is that, on this occasion, 'very special circumstances' exist which outweigh the harm to the Green Belt and any other harm.
- 1.5 Therefore, the recommendation from Officers is that this application be granted planning permission subject to appropriate conditions and informatives.

2.0 Description of Proposed Development

- 2.1 The application site comprises an existing disused agricultural building set within open land. The application site restricts the area proposed for residential amenity.
- 2.2 The application site is located on the South East side of Windsor Road, Gerrards Cross. It is located opposite the residential properties of Tranquillity and Tranquillity Cottage. A row of terraced dwellings known as Dukes Kiln Cottages lie to north of the application site, with open land buffering the site from the M40 to the South. Open agricultural land would bound the rear of the proposed associated garden land for the proposed dwelling. The application site is within the Metropolitan Green Belt, and within 5.6 kilometres of Burnham Beeches SSSI (SAC).
- 2.3 The application is accompanied by:
 - a) Noise Impact Assessment Report
 - b) Flood Risk Assessment
 - c) Design and Access Statement
 - d) Volume Study
 - e) Highways Report
 - f) Ecology Report
 - g) Proposed Material Palette
- 2.4 Plans:
 - Proposed Floor Plan and Site Plan– 2793-PL302 (29 January 2024)
 - Proposed Access Plan and Access Elevation – 2793-PL303 (29 January 2024)
 - Proposed Elevations – 2793-PL301 (29 January 2024)
 - Proposed Volume Study – 2793-PL304 (29 January 2024)
 - Existing Topographic Plan and Site Plan 2793-PL300 (29 January 2024)

3.0 Relevant Planning History

- 3.1 Relevant planning history for the site:
 - PL/20/2432/FA - Withdrawn, 24 November 2020 - Redevelopment of site to provide one detached dwelling
 - PL/21/0929/FA - Refused, 14 July 2021 - Change of use of buildings to B8 (Storage and Distribution)
 - AP/21/0083 - Dismissed, 24 February 2022 - Change of use of buildings to B8 (Storage and Distribution)
 - PL/22/3993/FA - Conditional Permission, 25 July 2023 - Conversion of agricultural building into dwellinghouse including external and internal alterations, alterations to access, entrance gate and associated boundary fencing, and laying of hardstanding

4.0 Summary of Representations

- 4.1 An objection has been received and is summarised in Appendix A.
- 4.2 Fulmer Parish Council has objected to the application (with no objection if compliance is met), their full representation is within Appendix A.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), 2023
- 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 Community Infrastructure Levy (CIL) Charging Schedule
- Burnham Beeches Special Area of Conservation (SAC) Mitigation Strategy, March 2020
- Buckinghamshire Parking Guidance, September 2015

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)

- 5.1 The NPPF was revised in December 2023 and whilst this replaced the previous Planning Policy Statements and Guidance Notes, it does not replace existing local policies that form part of the development plan. It does state however, that the weight that should be given to these existing local policies and plans will be dependent on their degree of consistency with the NPPF. Therefore, the closer the policies in the development plan to the policies in the Framework, the greater the weight that may be given to them.
- 5.2 With regard to this specific application, it is considered that policy GB1 is not entirely in accordance with the NPPF. Where there is a difference or conflict in policy, then the NPPF takes precedence. All of the other relevant local policies identified throughout this report are in accordance with the NPPF, and as such, it is considered that they should be afforded significant weight and that it is considered appropriate to still assess this current application against them.
- 5.3 The application site is within a Green Belt location. Development in the Green Belt is generally considered inappropriate under the National Planning Policy Framework (NPPF) and relevant Local Plan Policies. The NPPF provides national policy guidance relating to appropriate development within Green Belt locations which is specifically detailed within section 13 of the NPPF under 'Protecting Green Belt land'.
- 5.4 Paragraph 142 of the 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.
- 5.5 Paragraphs 154 and 155 of the NPPF provide a specific limited number of exceptions to inappropriate development. The proposal is not considered to meet with any of the stated exceptions and must therefore by definition be inappropriate development. This is acknowledged within paragraph 7.13 of the submitted Design and Access Statement.
- 5.6 Paragraph 152 of the NPPF states that: "Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."
- 5.7 Paragraph 153 adds: "When considering any planning application, local planning authorities should ensure that substantial weight is given to any 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."

- 5.8 In this instance the proposal results in harm to the Green Belt by way of its inappropriateness. Additionally, as the proposed replacement building has a 21sq.m larger footprint and an 8 cubic metre larger volume than the existing building, it would impact upon openness. Given the small increases, the level of harm would be small.
- 5.9 The submitted Design and Access Statement sets out the applicant's 'very special circumstances'. However, these will be considered as part of the overall Planning Balance, as the NPPF requires all harms are weighed against the 'very special circumstances'. As such, all other planning considerations must first be assessed in order to establish if any other harms exist.

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)

- 5.10 The Council's Highways team have reviewed the proposal and consider that sufficient parking is provided for the size of dwelling proposed. They also have no objection to the proposed access subject to conditions allowing vehicles to clear the highway without obstruction.
- 5.11 Taking these factors into account, it is considered that the proposal complies with relevant local and national planning policies.

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)

- 5.12 Due to its height and position the existing building is not overly apparent within the street scene. Notwithstanding this, the slope of the road means that it is visible within the existing street scene upon passing the application site. As an agricultural building, its external clad walls and steel clad roof present an unusual appearance, with its shape and external materials appearing out of context when viewed so close to a highway.
- 5.13 The proposed materials for the dwelling, consisting of brick walls and a clay tile roof, would have a more traditional appearance for a building set adjacent to dwellings and in close proximity to a highway.
- 5.14 The proposed replacement building would also be shorter in width and depth making it less visually prominent from wider viewpoints and increasing the level of space and perceived space around its edges.
- 5.15 Compared with the existing building the proposed building would have lower eaves whilst maintaining a ridge height matching the existing at its highest point.

- 5.16 The Design and Access Statement indicates additional native tree planting as part of a landscaping scheme which could be conditioned to be agreed with the Local Authority.
- 5.17 Overall, it is considered that the proposed layout, landscaping and replacement building would improve the appearance of the application site and contribute positively to its immediate and wider surroundings. It is considered that this represents a benefit of the scheme to which moderate weight should be attached. It is therefore considered that policies relating to placemaking and design are met accordingly.

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)

- 5.18 Although the proposed dwelling features windows facing the neighbouring residential dwellings to the North, the dwelling would be single storey as such no overlooking of neighbouring property would occur. The proposal does not result in loss of light or overshadowing of neighbouring properties.
- 5.19 The property is in relatively close proximity to the M40 motorway. The applicant has worked with the Council's Environmental Health team to overcome concerns regarding noise. The proposal includes a 'winter garden' in addition to outdoor amenity space, concerns regarding noise relating to the use of the outdoor space have been sufficiently mitigated.
- 5.20 In addition to the 'winter garden' the proposal includes sufficient outdoor amenity space for a dwelling of the proposed size. Conditions are proposed to ensure appropriate landscaping.
- 5.21 Sufficient light is provided into each of the proposed habitable rooms, and both the dwelling and the outdoor amenity space are sufficiently sized.

Environmental issues

Core Strategy Policies:

CP12 (Sustainable energy)

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

- 5.22 The proposal involves the re-use of a barn and agricultural land. The Council's Environmental Health team have looked at the possible risk of the land being contaminated and have recommended conditions which have been reviewed by Officers and agreed as being reasonable and necessary.

Flooding and drainage

Core Strategy Policies:

CP13 (Environmental and resource management)

- 5.23 The property lies in Flood Zone 1 (the lowest possible risk category). A Flood Risk Assessment has been submitted with the application. The conclusion sets out a number of recommended measures regarding floor heights, materials and other practicable steps. The proposal will not increase the risk of flooding to future occupants or neighbouring properties. It is recommended that a condition be added

requiring the measures set out within the conclusion be undertaken prior to occupation of the building.

Landscape and visual Impact

Core Strategy Policies:

CP9 (Natural environment)

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP4 (Landscaping)

5.24 Although the proposed plans show indicative areas for planting, details regarding species and size of planting will be required. Conditions are therefore proposed to enable the Council to ensure that landscaping is appropriate and retained for a reasonable minimum period.

Ecology

Core Strategy Policies:

CP9 (Natural environment)

CP13 (Environmental and resource management).

5.25 The Council's Ecology team have recommended that a net gain in biodiversity enhancement is achieved in line with the NPPF. Their response provides suggestions for how this can be achieved as well as a requested condition requiring the agreement and installation of appropriate enhancement measures.

5.26 The development site is located within 5.6km of Burnham Beeches. Recreation within Burnham Beeches has resulted in an adverse impact on the health of the site. Impacts include trampling, soil compaction, climbing damage to trees, dog fouling, the spread of disease and an import of non-native species.

5.27 Natural England have advised that due to new evidence coming to light as part of the evidence base for the emerging Chiltern and South Bucks Local Plan, it is recognised that new housing within 5.6km of the internationally designated Burnham Beeches Special Area of Conservation (SAC) can be expected to result in an increase in recreation pressure. They advise that the 5.6km zone represents the core area around the SAC where increases in the number of residential properties will require Habitats Regulations Assessment.

5.28 In light of the new evidence relating to the recreation impact zone of influence, Natural England advise that planning authorities must apply the requirements of Regulation 61 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.

5.29 Development in accordance with the new evidence would not be likely to have a significant effect on the SAC because it will provide, or make an appropriate contribution to, acceptable avoidance and mitigation measures. The planning authority can grant planning permission to such developments in accordance with the Regulations.

5.30 The mitigation would be in the form of a financial contribution towards the Burnham Beeches Access Management Scheme, or any subsequent scheme which replaces it, and this would be secured by way of a legal agreement.

- 5.31 However, development proposals which are not in accordance with the new evidence would be likely to have a significant effect on the SAC, either alone or in combination with other plans and projects.
- 5.32 In this instance, an HRA undertaken by the Council concludes that the proposed development is likely to lead to significant effects on the SAC as a result of increasing recreational pressure, and that mitigation is required to address it. An Appropriate Assessment undertaken by the Councils for this application concludes that the Strategic Access Management and Monitoring Strategy (SAMMS) which has been agreed with Natural England is robust and capable of mitigating the likely significant effects of the proposal provided the proposal pays a contribution towards the Strategic Access Management and Monitoring Strategy and legal fees to the Council. A copy of the Appropriate Assessment can be found attached as Appendix C.
- 5.33 Provided a legal agreement is completed which secures this financial contribution, Natural England are satisfied with the development and do not raise an objection on grounds relating to its impact on Burnham Beeches.
- 5.34 The applicant has provided written confirmation of their agreement to enter into a legal agreement.

Infrastructure and Developer Contributions

Core Strategy Policies:

CP6 (Local infrastructure needs)

- 5.35 The application would also be subject to the Council's Community Infrastructure Levy (CIL) scheme, for which a further fee would be applicable.

6.0 Weighing and balancing of issues / Overall Assessment

- 6.1 Paragraph 148 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any 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. Harm has been identified by reason of inappropriateness and loss of openness, the NPPF sets out that any harm to the Green Belt should be given substantial weight.
- 6.2 The applicant's submitted Design and Access Statement sets out that Case Law directs that the Council must take full consideration of any presented 'fallback' development which has a 'real prospect' of being undertaken as an alternative to the proposal before them.
- 6.3 In this case the Council is directed to a planning permission granted at Committee level in July 2023 which granted conditional consent for the conversion of the existing agricultural building to a residential dwelling, with an extension forming a 'winter garden'. This permission can still be implemented and should be considered as a viable 'fallback' with 'real prospect'.
- 6.4 The application provides a comparative volume calculation showing the 'area' and 'volume' of the existing building, the approved extended building, and the proposed building. The comparison demonstrates a 55 cubic metre reduction in volume against the approved dwelling, with no increase to area.
- 6.5 The proposed building would therefore have a reduced bulk and massing when compared to the approved building, and as such its impact on the spatial openness of

the Green Belt would be less. The spatial increase to the openness of the Green Belt as a result of this reduction in bulk and massing is a benefit to the openness of the Green Belt and moderate weight is attached to this benefit.

- 6.6 The proposed building would have a reduced width and depth in comparison to the existing and approved? building. This is achieved by relocating built form more towards the middle of the existing building and combined with a reduction to the eaves height results in a more compact building making it less visibly prominent when viewed from distance. The reduced spread in built form is considered to result in a beneficial increase to the visual impact on the Green Belt which can again be afforded moderate weight.
- 6.7 A further benefit of the proposal over the existing and approved development is the improvement to the layout, character and appearance of the site and built form in its wider context. The slight repositioning of the building allows for it to be set back slightly from its boundaries, reducing the visual impact in the street scene and allowing greater room for soft landscaping as an additional buffer. The change in shape and materials also gives a more domestic appearance to the development which will better complement its immediate surroundings. The improvement to the character of the site, street scene, and surroundings can be afforded moderate weight.
- 6.8 It must also be recognised that the Council currently has a short fall in its 5 year housing supply to which the proposal would positively contribute. Given that the contribution would be a single dwelling this can be afforded limited weight.
- 6.9 When taking these combined factors into account and recognising the benefits to the Green Belt that the current proposal would bring over the fallback position, it is considered that the benefits of the scheme clearly outweigh the harm to the Green Belt. As such, it is concluded that 'very special circumstances' exist which outweigh the harms identified,
- 6.10 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.
- 6.11 It is acknowledged that the Council cannot demonstrate a 5 year supply in the South Bucks Area and paragraph 11(d) of the NPPF is engaged. As set out above it is considered that the proposed development would accord with development plan policies.
- 6.12 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. It is considered that this should be attributed limited weight, and forms part of the overall weighted benefits which outweigh the harm to the Green Belt.
- 6.13 Compliance with Core Strategy and Local Plan policies have been demonstrated in terms of preserving residential amenities, parking and access, 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.

- 6.14 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.
- 6.15 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.
- 6.16 It is considered that a fair and reasonable balance would be struck between the interests of the community and the human rights of the individuals concerned in the event planning permission being granted in this instance.
- 6.17 The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

7.0 Working with the applicant/agent

- 7.1 In accordance with Section 4 of the NPPF (2023) 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.

8.0 Recommendation: Conditional Permission, subject to the following 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. No construction works above ground level shall take place until details of all materials to be used in the construction of the development hereby permitted have been submitted to and approved by the Local Planning Authority in writing. The details shall include the choice of elevational materials, including the interface between different materials, as well as details of the hardsurfacing materials, boundary treatments and ancillary structures. 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) refers.)
- 3. Development shall not begin until a written scheme for protecting the residents of the proposed dwelling, including the proposed winter garden, from noise from nearby traffic sources has been submitted and approved in writing by the Local Planning Authority. The scheme shall comprise of such measures as are necessary to ensure compliance with sound levels as outlined in the BS 8233:2014 standards and shall include, but not be limited to, glazing and ventilation systems. Any measures which form part of the scheme approved, which shall also include external amenity areas, by the Authority shall be carried out in accordance with the approved scheme, prior to the first occupation of the development and shall thereafter be retained.

Reason: To safeguard the amenities of future occupiers. (Policies EP3 and H9 of the South Bucks District Local Plan (adopted March 1999) refers.)

4. Prior to the commencement of any development a combined construction method statement and ecological enhancements scheme shall have been submitted to, and approved in writing by the Local Planning Authority. This to include details of protection measures for priority habitat Lowland Mixed Deciduous Woodland, reasonable avoidance measures for protected and notable species (bats, nesting birds, amphibians, reptiles and hedgehog) and biodiversity features for bats, nesting birds, reptiles and amphibians. The development shall proceed in accordance with the approved biodiversity features, which shall have been installed prior to the first occupation of the development and retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of improving biodiversity in accordance with NPPF and Core Policy 9: Natural Environment of the South Buckinghamshire Core Strategy and safeguarding species and habitats that may otherwise be affected by the development.

5. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- i. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

- ii. A site investigation, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments

- iii. the site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

- iv. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

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.

6. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that

demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

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.

The above must be undertaken in accordance with the Environment Agency's 'Land contamination risk management (LCRM)' guidance, available online at <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>.

7. 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 in accordance with the requirements of condition 8, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 8, 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 in accordance with condition 8.

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.

8. 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.

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

9. Notwithstanding the provisions of Part 2 of the Second Schedule to the Town and Country Planning General Permitted Development Order 1995 (or any Order revoking or re-enacting that Order) no gates, fences, walls or other means of enclosure other than those shown on the approved plan shall be erected along the site frontage within 5 metres of the edge of the carriageway.

Reason: To enable vehicles to draw off clear of the highway for the safety and convenience of the highway users.

10. No works or development (including for the avoidance of doubt any works of demolition) shall take place until a tree constraints plan and method statement (in accordance with British Standard 5837:2012 'Trees in relation to design, demolition and construction' (or any replacement thereof or EU equivalent)) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall provide, as required, details of a no dig driveway; phasing of demolition and construction operations; siting of work huts and contractor parking; areas for the

storage of materials and the siting of skips and working spaces; the erection of scaffolding. Protective fencing detailed in the method statement shall consist of a vertical and horizontal scaffold framework, braced to resist impacts, with vertical tubes spaced at a maximum level of 3m. On to this, weldmesh panels shall be securely fixed with wire scaffold clamps. The fencing shall be erected to protect existing trees and other vegetation during construction and shall conform to British Standard 5837:2012 'Trees in Relation to Construction' or any replacement thereof or EU equivalent. The approved fencing shall be erected prior to the commencement of any works or development on the site including any works of demolition. The approved fencing shall be retained and maintained until all building, engineering or other operations have been completed. No work shall be carried out or materials stored within the fenced area without prior written agreement from the Local Planning Authority. (ST17A)

Reason: To ensure that the crowns, boles and root systems of the shrubs, trees and hedgerows are not damaged during the period of construction and in the long term interests of local amenities. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)

11. Notwithstanding any indications illustrated on drawings already submitted, the dwellinghouse hereby permitted shall not be occupied 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.)

12. 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.)

13. In implementing this planning permission, the developer shall ensure that the existing soil levels around the boles of the trees to be retained are not altered. (ST04)

Reason: To ensure that the trees are not damaged during the period of construction. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)

14. Notwithstanding the information already submitted, the dwellinghouse hereby approved shall not be occupied until there has been submitted to and approved by the District Planning Authority flood risk prevention measures. ensuring that the proposed development would be resilient and resistant to the risk of flooding within the site and

neighbouring land. Thereafter the development shall be implemented in accordance with this approved scheme.

Reason: To ensure satisfactory natural drainage from the proposed development in the interests of the application site and neighbouring properties. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999), Core Policy 13 of the South Bucks Core Strategy (adopted February 2011) and Section 14 of the National Planning Policy Framework refer.)

15. The development to which this planning permission relates shall be undertaken solely in accordance with the following drawings:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
29 Jan 2024	2793-PL302
29 Jan 2024	2793-PL303
29 Jan 2024	2793-PL301
29 Jan 2024	2793-PL304
29 Jan 2024	2793-PL300

INFORMATIVE(S)

1. Whilst it would appear from the application that the proposed development is to be entirely within the application site, care should be taken upon the commencement and during the course of building operations to ensure that no part of the development, including the foundations and roof overhang will encroach on, under or over any adjoining property. (SIN06)
2. 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)

3. 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.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

CLlr Jaspal Chhokar (call in confirmation 10/04/2024):

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment: I would like to call in this application for it to be determined by the planning committee due to the potential harm to the greenbelt that could be caused by the new dwelling. I believe this requires scrutiny from the committee to determine whether this outweighs the possible benefits of the development.

I confirm I have no Disclosable Pecuniary Interest, personal interest, prejudicial interest or any personal bias in this application.

CLlr Jaspal Chhokar (initial call in request 03 March 2024):

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment: I would like to call this application in for scrutiny by the planning committee due to the green belt location and planning history of this site.

Parish/Town Council Comments (Fulmer Parish Council)

We object the following application on the basis of:

- Greenbelt development
- Over development on site
- And would like to call in our objection supporting Councillor Jaspal Chhokar

Dukes Kiln Farm WindsorRoad Gerrards Cross Buckinghamshire

PL/24/0284/FA

Demolition of agricultural building, construction of three bed single storey dwelling house, and laying of hardstanding.

[https://pa-csb.buckinghamshire.gov.uk/online-](https://pa-csb.buckinghamshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S80JPQESGXH00)

[applications/applicationDetails.do?activeTab=documents&keyVal=S80JPQESGXH00](https://pa-csb.buckinghamshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S80JPQESGXH00)

***Registered 29.01.24 No objection if compliance met**

Consultation Responses

Access for the Disabled Officer (Buckinghamshire Council)

No response at the time of writing this report.

Building Control (Buckinghamshire Council)

No response at the time of writing this report.

Corporation of London

No response at the time of writing this report.

Ecology (Buckinghamshire Council)

Summary

No Objection subject to conditions

A condition relating to a combined Construction Method Statement and Ecological Enhancements Scheme is recommended.

Discussion

The application is supported by a Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech, 21/01/2024).

Special Area of Conservation

The site is within the 5.6km Zone of Influence of Special Area of Conservation Burnham Beeches. Please consult Natural England on this application.

NERC Act Section 41 Habitat of Principal Importance

According to Magic Maps the site is immediately adjacent to NERC Act Section 41 Habitat of Principal Importance Lowland Mixed Deciduous Woodland.

Biodiversity Opportunity Area

The site lies within the Biodiversity Opportunity Area Colne Valley. 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 within the Colne Valley BOA include rivers and streams, lakes and ponds, reedbed, woodland, lowland meadow, purple moor grass and rush pasture, fen, wood pasture and parkland, traditional orchard and hedgerows.

Protected Species

The building to be demolished was found to have negligible potential to support roosting bats owing to the lack of potential roosting features. Therefore, no further bat survey information is required.

The safeguarding of bats and of other protected species (including nesting birds, amphibians and reptiles and badger) during construction works should be addressed in a construction method statement to be secured via a condition to any approval granted. The statement should also include measures to take to protect the adjacent priority habitat from destruction of ground flora or pollution/dust deposition.

Artificial lighting needs to be designed in accordance with the 'Guidance Note 08/23: Bats and artificial lighting in the UK' (Institute of Lighting Professionals, 2023).

If external lighting is proposed please consult us further with the details. Given the location of the site immediately adjacent to priority woodland, lighting should be kept to a minimum across the site and dark zones along mature trees and the periphery of the site be maintained.

Biodiversity Enhancements

In line with recognised good practice and government policy on biodiversity and sustainability, all practical opportunities should be taken to harmonise the built development with the needs of wildlife.

It is recommended that the following biodiversity enhancements (in addition to native planting/landscape planting beneficial to wildlife) are secured via an ecological enhancements scheme.

A single condition for a combined construction method statement and ecological enhancements scheme is recommended.

Bats: One bat box integrated into the building on a southerly aspect/orientation (south, south-west

and south-east). Example specifications include the Habibat Bat Box shown below or Schwegler 1FR/2FR Bat Tube. The box should be located a minimum of 3 metres, but ideally 5-7 metres above ground, in a position near the eaves or gable apex. Placement should avoid windows, doors and wall climbing plants.

Swifts: One swift box integrated into the building on a northerly aspect/orientation (north, north-east and north-west). Example specification includes the Manthrope 'GSWB' Swift Brick as shown below or the Vivara Pro Cambridge Brick Faced Swift Nest Box. The box should be located high within the gable wall, ideally above 5m high, below the overhang of the verge and barge board.

Reptiles and Amphibians: Hibernacula should be created on-site to provide features for reptiles and amphibians to hunt for food, use as shelter and hibernate within during the winter. Hibernacula can be created using a variety of materials, including, grass piles/compost, loose stones and soil as wells log/brush piles. Hibernacula should be located within proximity to habitat features used by reptiles and amphibians, including sunny spots such as southward facing banks, dense vegetation/hedgerows and waterbodies such as ponds. Examples of suitable designs and methodologies for creating hibernacula can be located within, but not limited to, the Great Crested Newt Conservation Handbook, Froglife 2001 (see diagram below) and the RAVON + ARG UK Grass Snake Egg-laying Heaps Flier, 2019.

Legislation, Policy and Guidance

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.

Nesting birds

Under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Buildings, trees and other vegetation are likely to contain nesting birds between 1st March and 31st August inclusive.

Great crested newt

Great crested newts and their habitats are fully protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Therefore it is illegal to capture, injure, kill, disturb or take great crested newts or to damage or destroy breeding sites or resting places. Under the Wildlife and Countryside Act 1981 (as amended) it is illegal to intentionally or recklessly disturb any great crested newts occupying a place of shelter or protection, or to obstruct access to any place of shelter or protection.

Badger

Badgers and their setts (including tunnels) are protected under the Protection of Badgers Act 1992. The most likely offences through development include wilful killing and injury of a badger, intentional or reckless damage or destruction of a badger sett, obstruction of access to a sett, or to disturb a badger when it is occupying a sett.

Reptiles

All reptile species are protected under the Wildlife and Countryside Act 1981 (as amended). It is an offence to intentionally kill or injure a reptile.

All reptile species are listed in Section 41 of the Natural Environment and Rural Communities Act as Species of Principal Importance – Priority Species.

NERC Act Section 41 Habitat of Principal Importance - Priority Habitat

Local planning authorities have a duty to conserve and enhance biodiversity under the Natural Environment and Rural Communities Act 2006 (NERC Act 2006).

The NERC Act 2006 requires that the Section 41 habitats and species list be used to guide decision-makers, such as public authorities, in implementing their duty under Section 40 of the NERC Act ‘to have due regard’ to the conservation and enhancement of biodiversity when carrying out their normal functions.

National Planning Policy Framework

Paragraph 180d of the NPPF requires that: “Planning policies and decisions should contribute to and enhance the natural and local environment by ... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”.

The NPPF in section 185b states: “promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”

The NPPF Paragraph 186a states “When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.”

The NPPF Paragraph 186d states “When determining planning applications, local planning authorities should apply the following principles.... development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”

Core Policy 9: Natural Environment - South Bucks District Core Strategy

Buckinghamshire Council resolved to withdraw the Chiltern and South Bucks Local Plan 2036 on 21st October 2020. The Core Strategy for the South Bucks District area (adopted February 2011) ‘Core Policy 9: Natural Environment’ states that: “The highest priority will be given to the conservation and enhancement of the natural beauty of the Chilterns Area of Outstanding Natural Beauty, and the integrity of Burnham Beeches Special Area of Conservation. The conservation and enhancement of the Chilterns AONB and its setting will be achieved by ensuring that all development complies with the purposes of the AONB and its Management Plan.

The conservation and enhancement of Burnham Beeches SAC, and its surrounding supporting biodiversity resources, will be achieved through restricting the amount of development in close proximity to the site, and ensuring that development causes no adverse effect on the integrity of the SAC. Further details on mechanisms for achieving this will be given in the Development Management DPD.

More generally, the landscape characteristics and biodiversity resources within South Bucks will be conserved and enhanced by:

- Not permitting new development that would harm landscape character or nature conservation

interests, unless the importance of the development outweighs the harm caused, the Council is satisfied that the development cannot reasonably be located on an alternative site that would result in less or no harm and appropriate mitigation or compensation is provided, resulting in a net gain in Biodiversity.

- Seeking the conservation, enhancement and net gain in local biodiversity resources within the Biodiversity Opportunity Areas, on other non-designated land, on rivers and their associated habitats, and as part of development proposals.
- Maintaining existing ecological corridors and avoiding habitat fragmentation.
- Conserving and enhancing landscapes, informed by Green Infrastructure Plans and the District Council's Landscape Character Assessment.
- Improving the rural/urban fringe by supporting and implementing initiatives in the Colne Valley Park Action Plan.
- Seeking biodiversity, recreational, leisure and amenity improvements for the River Thames setting where opportunities arise, for example at Mill Lane (see Core Policy 15).

Further guidance on the protection and enhancement of landscape and biodiversity resources will be given in the development Management DPD."

Conditions

Restrictions on commencement of development until protection measures and specific biodiversity outcomes are achieved:

Prior to the commencement of any development a combined construction method statement and ecological enhancements scheme shall have been submitted to, and approved in writing by the Local Planning Authority. This to include details of protection measures for priority habitat Lowland Mixed Deciduous Woodland, reasonable avoidance measures for protected and notable species (bats, nesting birds, amphibians, reptiles and hedgehog) and biodiversity features for bats, nesting birds, reptiles and amphibians. The development shall proceed in accordance with the approved biodiversity features, which shall have been installed prior to the first occupation of the development and retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of improving biodiversity in accordance with NPPF and Core Policy 9: Natural Environment of the South Buckinghamshire Core Strategy and safeguarding species and habitats that may otherwise be affected by the development.

Environmental Health (Buckinghamshire Council - contamination)

Historical mapping shows that there were buildings on site in the 1920s, a feature is shown to the north, the feature is depicted as having sloping sides and appears to be a pit or quarry, further buildings are shown on site during the 1955-1974 epoch, the buildings are likely to have been associated with Dukes Kiln Farm, the M40 Motorway is shown adjacent to the site to the south on the map for the 1970s.

Online historical mapping shows that there was a small building on site in 1899.

Our records indicate that the land to the south of the site has had a previous potentially contaminative use (clay bricks & tiles (manufacture) & Unknown Filled Ground (Pit, quarry etc.)).

The proposed development site has had an agricultural use. There are associated risks from landfilling, storage and use of fuels, fertilisers, pesticides and herbicides, asbestos containing materials in buildings and other activities as outlined in the Department of Environment Industry Profiles.

The site has had a previous potentially contaminative use. An assessment of the risks associated

with the site is considered necessary.

Based on this, the following contaminated land condition is recommended on this **and any subsequent applications** for the site.

The application requires the following condition(s):

1. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
 - i. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
 - ii. A site investigation, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments
 - iii. The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - iv. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

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.

2. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

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.

The above must be undertaken in accordance with the Environment Agency's 'Land contamination risk management (LCRM)' guidance, available online at <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>.

3. 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 in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 1, 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 in accordance with condition 1.

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.

Environmental Health (Buckinghamshire Council - noise)

The application and supporting documents have been reviewed by Environmental Health. As was our position with the previous application for the site (PL/22/3993/FA, granted in January 2024), Environmental Health continue to have concerns about the impact of noise on the future occupants of the proposed development.

As previously stated in our response to application PL/22/3993/FA, given the close proximity of the development site to the M40 there is a significant potential for noise to materially impact on the amenity of the future residents of the proposed dwellings. However, Environmental Health have reviewed the Noise Impact Assessment Report prepared by KP Acoustics Ltd. (report ref: 25891.NIA.02, dated 24/01/2023) submitted in support of this application and agree with its main conclusion – with careful acoustic design the dwelling can be adequately insulated against excessive external noise.

External Amenity

In order to address the issue of external amenity, the acoustic consultant has recommended a 'winter garden area'. Whilst this structure is shown on the provided proposed ground floor plan, no further details of the structure have been provided, most relevant being the proposed materials/construction, therefore the acoustic performance of the structure is unknown. Environmental Health would also suggest that the LPA considers whether the size of the proposed winter garden (approximately 4mx4.5m) is sufficient 'external amenity space' for a dwelling of this size.

Irrespective of the proposed winter garden, the development still consists of a patio and garden area that would be classed as external amenity spaces.

BS8233 recommends that for external areas that are used for amenity space, such as gardens and patios, it is desirable that the external noise level does not exceed 50 dB LAeq,T, with an upper guideline value of 55 dB LAeq,T, as follows:

'For traditional external areas that are used for amenity space, such as gardens and patios, it

is desirable that the external noise level does not exceed 50 dB LAeq,T, with an upper guideline value of 55 dB LAeq,T, which would be acceptable in noisier environments. However, it is also recognized that these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not

be prohibited.'

It is clear from the provided Noise Impact Assessment Report that these levels would be exceeded in the proposed external amenity spaces. The LPA will need to consider the level of compromise for this development between elevated noise levels and the desirability of the development.

Ultimately the LPA will need to consider the level of compromise for this development between elevated noise levels and the desirability of the development. However Environmental Health accept the steps taken by the applicant propose mitigation/alternatives that are practically achievable within the setting of the development.

Internal Amenity

Within the Noise Impact Assessment, the acoustician has provided a number of recommendations in respect of specification for glazing and ventilation which has been calculated based on the findings from the noise monitoring carried out in January 2023. Whilst such glazing and ventilation systems will undoubtedly reduce the impact of noise on internal amenity, no proposed scheme has been produced following the acousticians recommendations and therefore the LPA currently only has a recommendation from a third party (i.e. KP Acoustics Ltd.) and has no detailed scheme or acknowledgment/acceptance from the applicant in relation to this matter.

As such, it is recommended that in order to ensure such acoustic design and internal levels are achieved, including the proposed winter garden, should the LPA grant permission, they may wish to impose a condition in respect of such controls.

The below condition aims to ensure acceptable noise levels are achieved:

Development shall not begin until a written scheme for protecting the residents of the proposed dwelling, including the proposed winter garden, from noise from nearby traffic sources has been submitted and approved in writing by the Local Planning Authority. The scheme shall comprise of such measures as are necessary to ensure compliance with sound levels as outlined in the BS 8233:2014 standards and shall include, but not be limited to, glazing and ventilation systems. Any measures which form part of the scheme approved, which shall also include external amenity areas, by the Authority shall be carried out in accordance with the approved scheme, prior to the first occupation of the development and shall thereafter be retained.

Reason: To safeguard the amenities of future occupiers.

Highways Management (Buckinghamshire Council)

Windsor Road is classified as the B416. When considering trip generation, the site as it currently operates is likely to generate vehicle trips comparable to that of the proposed dwelling. Therefore, I do not consider the overall development to result in an intensification of the site. The Highway Authority is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway.

The site is not considered sustainable in the context of the transport requirements of the National Planning Policy Framework (NPPF) 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.

Two spaces are proposed in line with the Buckinghamshire Countywide Parking Standards. The parking standards specify that each parking space should be a minimum of 2.8m x 5m wide. I can confirm that these spaces are of adequate dimensions and would allow for vehicles to park, turn and leave the site in a forward gear. The existing access is to be retained.

The proposals involve the additional of gates access point. The Highway Authority requires gates to be set back a minimum of 5m from the carriageway edge to allow vehicles to pull clear of the highway. I can confirm this measurement is met.

Mindful of the above, I do not have any objections to this proposal subject to the following conditions imposed in any consent you may grant:

Condition: 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.

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

Condition 2: Notwithstanding the provisions of Part 2 of the Second Schedule to the Town and Country Planning General Permitted Development Order 1995 (or any Order revoking or re-enacting that Order) no gates, fences, walls or other means of enclosure other than those shown on the approved plan shall be erected along the site frontage within 5 metres of the edge of the carriageway.

Reason: To enable vehicles to draw off clear of the highway for the safety and convenience of the highway users.

Waste Management (Buckinghamshire Council)

I have looked at the plans and consideration has been given to waste management and container provision aspects of the proposal. Waste collection point indicated on plans and appropriate external storage areas illustrated for containers within the curtilage of the property.

Standard container provision for domestic households is one of each bin for refuse (180L), recycling (240L), paper/card box (55L) and food caddy (23L). Optional 240L garden on a subscription basis.

Therefore, Waste services have no objections towards the proposal for waste and recycling provisions at property.

Residents to present their waste and recycling at the property boundary for kerbside collections.

The property developer is required to complete a 'Apply for domestic waste services at a new property or development'. This form should be completed at least 6 weeks prior to the first date of occupation to allow time to process your application and deliver containers.

All collections to take place in accordance with Council policies.

Natural England

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Summary of Natural England's Advice

Designated Sites [European] – No objection subject to securing appropriate mitigation for Recreational Pressure Impacts on Habitat Sites (European Sites).

Natural England notes that the Habitats Regulations Assessment (HRA) has not been provided with the application. As competent authority, and before deciding to give permission for the project which is likely to have a significant effect on a European Protected Site, you must carry out a HRA and adhere to its conclusions.

For all future applications within the zone of influence identified by your authority, please only

consult Natural England once the HRA has been produced.

Further information regarding Recreational Pressure Impacts on Habitat Sites (European Sites):

Natural England considers that this advice may be used for all applications that fall within the parameters detailed below.

This advice relates to proposed developments that falls within the 'zone of influence' (ZOI) for one or more European designated sites, such as **Burnham Beeches Special Area of Conservation (SAC)**. It is anticipated that new residential development within this zone is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development and therefore such development will require an appropriate assessment.

Your authority has measures in place to manage these potential impacts through a strategic solution which we have advised will (in our view) be sufficiently certain and effective in preventing adverse impacts on the integrity of those European Site(s) within the ZOI from the recreational impacts associated with such development.

However, following the People Over Wind ruling by the European Court of Justice, mitigation may not be taken into account at screening stage when considering 'likely significant effects', but can be considered at appropriate assessment. In the light of this, these measures) should be formally checked and confirmed by your authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing adverse effects on the integrity of the relevant European Site(s) from recreational impacts for the duration of the development proposed within the relevant ZOI.

Providing that the appropriate assessment concludes that the measures can be secured [with sufficient certainty] as planning conditions or obligations by your authority, and providing that there are no other likely significant effects identified (on this or other protected sites) which require consideration by way of appropriate assessment, Natural England is likely to be satisfied that your appropriate assessments will be able to ascertain with sufficient certainty that there will be no adverse effect on the integrity of the European Site from recreational pressure in view of the site's conservation objectives. In this scenario, Natural England is unlikely to have further comment regarding the Appropriate Assessment, in relation to recreational disturbance.

Natural England should continue to be consulted on all proposals where provision of site specific SANGS (Suitable Alternative Natural Green Space) or other bespoke mitigation for recreational impacts that falls outside of the strategic solution is included as part of the proposal. We would also strongly recommend that applicants proposing site specific infrastructure including SANGs seek pre application advice from Natural England through its Discretionary Advice Service. If your consultation is regarding bespoke site-specific mitigation, please reconsult Natural England putting 'Bespoke Mitigation' in the email header.

Reserved Matters applications, and in some cases the discharge/removal/variation of conditions, where the permission was granted prior to the introduction of the Strategic Solution, should also be subject to the requirements of the Habitats Regulations and our advice above applies.

Other advice

Priority habitats and Species

Priority habitats and Species are of particular importance for nature conservation and are included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. A list of priority habitats and species can be found on Gov.uk. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Representations

Amenity Societies/Residents Associations

None.

Other Representations

Objecting (representations from 1 address summarised below)

- Noise exceeds recommended tolerance for future residents
- Impact on wildlife and trees (tree removal and other works have previously been undertaken on associated land to the rear of the application site)

Denham Aerodrome

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment: We would like to draw attention to the fact that the site is within the Denham Aerodrome Traffic Zone.

Denham is a long established Civil Aviation Authority Licensed Aerodrome providing facilities for business aviation and flying training for both fixed and rotary wing aircraft, and may be available for use at any time.

It is inevitable that any occupants in this location will both hear and see aircraft operations including aircraft and it is important that all concerned are aware of the juxtaposition of the sites.