



BUCKINGHAMSHIRE COUNCIL

Town & Country Planning Act 1990
as amended by the
Planning and Compensation Act 1991

APPEAL BY:

Mr P. Kerry.

Against the refusal of planning application PL/21/0130/FA

For:

Erection of a temporary rural workers dwelling and agricultural building with access and parking.

At:

**Land at Magpie Lane,
Amersham Road,
Coleshill,
Buckinghamshire,
HP7 0LU**

Buckinghamshire Council Ref: PL/21/0130/FA

Planning Inspectorate Ref: APP/X0415/W/21/3285706

STATEMENT OF CASE

BUCKINGHAMSHIRE COUNCIL

1.0 INTRODUCTION

- 1.1 This application was refused planning permission by Buckinghamshire Council under delegated powers on 11th May 2021. The application was refused permission on three grounds:
- 1.2 *The application involves the construction of a new temporary worker's dwelling and agricultural building on a site located within the open Green Belt. The erection of these buildings in this location would erode the openness of the Green Belt and their siting would not be appropriate within the site. The proposal would result in the new buildings being visible from outside of the site, with the associated fencing, hutches, pens, lighting, access track and removal of hedgerow further eroding the openness of the Green Belt. The Applicant has not presented an adequate case to establish why the business must be located on this land, and why a more suitable, less-constrained site was not chosen. Alternatively, it has not been demonstrated that there is a demand for this proposal in this location. Notwithstanding the economic benefits of the scheme, these are not considered to outweigh the harm identified. Consequently, the proposal constitutes inappropriate development in the Green Belt, which is harmful by definition. Furthermore, the structures would result in harm to the openness of the Green Belt, both in spatial and visual terms. The proposal is therefore contrary to Policy GB2 of The Adopted Chiltern Local Plan 1997 (including alterations 1 May 2001) Consolidated September 2007 and November 2011 and the provisions of the NPPF.*
- 1.3 *The site is within the Chilterns Area of Outstanding Natural Beauty (AONB) where great weight should be given to conserving the landscape and scenic beauty of the area. The site is in a fairly isolated rural location and within the "Penn Rolling Farmland" Landscape Character Area, as defined in the Chiltern Landscape Character Assessment, 2011. The surrounding landscape is a large scale landscape, with a rolling topography and farmland land cover with limited settlement, which contributes to a well balanced and uniform landscape. The proposed dwelling and agricultural building, together with the associated paraphernalia necessary for this business would be highly visible in the landscape. This clutter of buildings and associated fencing, hutches, pens, lighting, access track and removal of hedgerow would not conserve or enhance the special landscape character of this protected area. The development would fail to accord with the Landscape Guidelines for this Landscape Character Area, as it would fail to conserve the open views across arable farmland, it would not conserve the intact, remote and peaceful character formed by the absence of modern development, it would not maintain a visually attractive landscape and would not ensure new buildings are sensitively integrated into the landscape through careful siting. As such it would harm the AONB and is contrary to Policies GC1 and LSQ1 of The Chiltern Local Plan 1997 (including alterations 1 September 2011) Consolidated September 2007 and November 2011, Policies CS20 and CS22 of the Core Strategy for Chiltern District - Adopted November 2011, and the aims of the National Planning Policy Framework, 2019.*

- 1.4 *The submitted ecological information is inadequate to allow for the satisfactory assessment of the proposal's impact on ecology and wildlife, in particular, protected species. In the absence of this information it is not possible to establish the ecological value of the site and the site's potential to support European or nationally protected species and ensure that there is not a net loss of biodiversity. Without adequate survey information it is not possible to assess the impacts of the development on any potential species and thus meet the requirements of the NPPF. As such, there is insufficient information to demonstrate that the proposal would conserve and enhance biodiversity and the proposal is therefore contrary to Policy CS24 of The Core Strategy for Chiltern District, Adopted November 2011 and the provisions of the NPPF.*

2.0 THE COUNCIL'S CASE

- 2.1 The Council's Statement of Case will respond to the points raised in the Appellant's Statement of Case. It will expand on the assessment made in the Case Officer report, also submitted as part of the appeal documents, in addition to additional comments received from the Council's Ecology Officer and Great Crested Newts Officer. These additional comments will be attached to the appendix section of this document. Also in the appendix section of this document are copies of the decision notice and officer report for a similar proposal (agricultural building and agricultural worker's dwelling in association with a rabbit rearing enterprise) submitted by the same applicant but in Cornwall. These documents have been included due to the similarity of both proposals.
- 2.2 In relation to the first reason for refusal, which considered that the proposed development would erode the openness of the Green Belt, it is necessary to have regard to both the provisions of the NPPF and Local Plan Policy GB27.
- 2.3 The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.
- 2.4 Paragraph 149 specifically sets out that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. A number of exceptions are given, including exception a), which allows for buildings for agricultural and forestry.
- 2.5 This position is supported by Local Plan Policy GB27. Policy GB27 is more prescriptive than Paragraph 149 of the NPPF, as it states that permission for new agricultural buildings will only be granted if a number of criteria are met. These criteria include the need to demonstrate that the proposed building is reasonably required for the functioning of the agricultural enterprise on the unit on which it would be located; that the unit is established or that the proposed building would enable a fully operational

enterprise and unit to be established; and no other building could be used or reasonably converted for use for the purpose of the proposed building.

- 2.6 The supporting text to Policy GB27 states that the Council will be concerned to control the intrusion of buildings in accordance with the fundamental policy objective of keeping an open rural character to the countryside.
- 2.7 Whilst it is accepted that agricultural buildings are one of the few types of development which are not inappropriate in the Green Belt, the Council is of the view that this position should not be abused by a proliferation of buildings. The Council therefore considers it reasonable to request that an Applicant demonstrates that a new building is reasonably required for the proper functioning of the farm unit.
- 2.8 The requirement that the farm unit is established and fully operational is to prevent planning permission being granted for new buildings in the Green Belt only for the unit to fail or change its use. This could lead to a redundant building in the Green Belt with pressures for new uses which would not normally have been permitted. The Council considers this to be a reasonable position, given the importance of the Green Belt. As is stated in NPPF Paragraph 137, 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.
- 2.9 The Council does not disagree that the nature of the enterprise proposed requires agricultural buildings and paraphernalia (fencing, hutches, pens, lighting etc.) to be erected on site in order to run a rabbit rearing enterprise (the need for a workers' dwelling will be dealt with in later sections of this report). However, given the importance of maintaining the openness of the Green Belt, the Council considers it reasonable for applicants to demonstrate there is an established need for the enterprise, given the harm to openness that would arise from their erection. To this end, the Council does not consider that the Applicant has presented an adequate case to establish why the business must be located on this land, and why a more suitable, less-constrained site was not chosen. In addition, it has not been demonstrated that there is a demand for this proposal in this location, thus resulting in questions over the long term viability of the enterprise.
- 2.10 The Appellant's supporting information states that allowing the development in this location will enable the company to supply product to Buckinghamshire, Berkshire, Oxfordshire, Northamptonshire, Bedfordshire, Hertfordshire and Greater London. However, no specific information has been provided in support of the application suggesting that there is demand for rabbit meat in these areas. The Applicant has submitted financial accounts for another of their farms (which is shown to be profitable) located elsewhere in the UK, however there is no indication that this farm is operating at a capacity or that there is an unmet or required need for greater rabbit production, both

in the UK and in the south-east. There is no evidence that, given the efficiencies of modern transport, that a business targeting the London and South-East market has to be close to London, when other food suppliers successfully supply markets nationwide from central locations. Furthermore, there is no evidence that there is a large market and demand for rabbit meat in the target area. It is therefore not considered that there is a proven essential need for a presence of this business on this site.

2.11 The Council does accept that the land in question is already in agricultural use and rabbits could be brought onto the site without requiring further permission, but given the nature of the enterprise is such that it requires the erection of an agricultural building and an agricultural worker's dwelling from the outset, and given that this would, by its very nature, cause harm to the openness of the Green Belt, the Council considers that it must be demonstrated that the nature of the business is such that it is required, and is required in this location also. The reason for this is that, in line, with NPPF protection for Green Belts, the Council is keen to prevent planning permission being granted for new buildings in the Green Belt only for the unit to fail or change its use, potentially resulting in redundant buildings in the Green Belt with pressures for new uses which would not normally have been permitted.

2.12 Turning to the requirement for an agricultural worker's dwelling, it is accepted that Paragraph 80 of the NPPF states that: planning policies and decisions should avoid the development of isolated homes in the countryside unless one there is an essential need for a rural worker to live permanently at or near their place of work in the countryside. This position is supported by Local Plan Policy GB17 which agrees that in the Green Belt, new agricultural dwellings will only be acceptable where it can be demonstrated that it is essential to the operation of an established agricultural holding. The supporting text states that unless the Applicant can show that there are valid reasons why a dwelling should be erected on the farm rather than in a nearby village or hamlet, the normal Green Belt policy limitations will apply and the need for agricultural dwellings must be met as far as possible by building in a village, hamlet or existing group of dwellings accessible to the farm.

2.13 The Case Officer report acknowledges that given the type of operation proposed, there may be a need for a worker on site. However, as has already been stated, the Council has concerns about the necessity and long-term viability of the business, given that the dwelling would not support an established agricultural holding and no evidence has been put forward showing that there is a demand or requirement for a rabbit rearing enterprise in this location.

2.14 The Applicant has referred to further guidance from the NPPG, specifically, considerations that may be relevant to take into account when applying Paragraph 79a of the NPPF. One of the considerations is the degree to which there is confidence that the enterprise will remain viable for the foreseeable future. The Council is of the view that given that it has not been demonstrated that there is a demand for this proposal in

this location, it cannot be adequately concluded that the enterprise will remain viable for the foreseeable future. Therefore, whilst a dwelling might be required in association with the proposed rabbit rearing enterprise, this does not mean that permission should be granted for one, particularly if there are concerns about the long term viability of the business or current demand for its produce.

- 2.15 The Council does accept that there is support in the NPPF for development of a prosperous rural economy, with Paragraph 84 stating that planning policies and decisions should enable the development and diversification of agricultural and other land-based rural businesses. However, this must be balanced against the harm to the Green Belt by way of loss of openness. Given that the erection of new buildings in the open Green Belt would be harmful due to their impact on openness, there must be a reasonable likelihood that the benefits associated with a proposal are sufficient to overcome the harm identified. Doubts over the demand and therefore long term viability for a particular enterprise are unlikely to be sufficient to overcome the permanent harm to the Green Belt by way of loss of openness.
- 2.16 Nonetheless, even if there were no doubts over the enterprise's long term viability, the Council would expect the Applicant to undertake an assessment of other dwellings which might be both suitable and available for use by an agricultural worker. To this end, the Statement (dated 13th January 2021) submitted as part of the planning application confirmed that all that had been undertaken in this regard was: *An online search was carried on the 11th January 2021 to identify available housing in the local vicinity. There are two existing dwellings within the immediate vicinity of the site; however, these are valued between £600,000 and £1.95 million and are therefore not viable options. The closest rental property identified was similarly over 1.5km from the site and would cost £1,250 per calendar month (equivalent to £15,000 per annum). A search of the Council website was also carried out, on the 11th January 2021, to identify if there were any rural workers dwelling in the immediate vicinity. No such dwellings were identified.*
- 2.17 The Council does not consider that the exercise undertaken was thorough as it relied on an internet search undertaken on a single day. The Council would expect a search for alternative accommodation/sites within close proximity to the rural business to take place over a longer period of time to adequately demonstrate that there is no suitable residence in the locality. Statistically, it is less likely that suitable alternatives would be found based on a single day's search on the internet as a precursor to a planning application, compared with a search lasting a month or longer. On this basis, it cannot be said definitively that there are no suitable premises for an agricultural worker to reside within proximity of the application site.
- 2.18 To conclude, the Council agrees that agricultural development can be appropriate development in the Green Belt but has concerns that the Applicant has not presented an adequate case to establish why the business must be located on this land, and why a more suitable, less-constrained site was not chosen. The Council considers that given

that the nature of the enterprise is such that it relies on built form and siting of paraphernalia which would have a harmful impact on openness, it must be demonstrated that there is a demand for such an enterprise in this location and that the business would be viable long term. The reason for this is that, in line, with NPPF protection for Green Belts, the Council is keen to prevent planning permission being granted for new buildings in the Green Belt only for the unit to fail or change its use, potentially resulting in redundant buildings in the Green Belt with pressures for new uses which would not normally have been permitted.

- 2.19 Finally, the Council wishes to comment on Paragraph 4.15 of the Appellant's Statement which states that: *Given the agricultural nature of the development it is not considered that it would impact upon the openness of the Green Belt or conflict with use of the Green Belt.* The Council disagrees with this approach, as whilst agricultural development may be appropriate development, it considers that the erection of any built form and paraphernalia would still have an impact of openness. For the Council, agricultural development can be both appropriate and have an impact on openness. In this instance, it is considered that the proposal would result in the new buildings being visible from outside of the site, with the associated fencing, hutches, pens, lighting, access track and removal of hedgerow further eroding the openness of the Green Belt. The Council disagrees with the Appellant's assertion that the nature of the development is such that it would not have an impact on openness.
- 2.20 The second reason for refusal relating to the impact of the proposal on the character of the Chilterns Area of Outstanding Natural Beauty (AONB). The Council considers that the proposed dwelling and agricultural building, together with the associated paraphernalia necessary for the business would be highly visible in the landscape. The clutter of buildings and associated fencing, hutches, pens, lighting, access track and removal of hedgerow would not conserve or enhance the special landscape character of the protected area, with the proposal being harmful to the AONB and contrary to local and national planning policies.
- 2.21 Paragraph 176 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection. This position is supported by Local Plan Policy LSQ1 which requires that development should conserve and, where considered appropriate and practicable, enhance the special landscape character and high scenic quality of the AONB.
- 2.22 Paragraph 4.21 of the Appellant's statement sets out that none of these policies suggest that the continued agricultural use of the land would be out of keeping with the character of the area or that it would not represent the best use of the land. The Council does not, in principle disagree, and accepts that agricultural development is often appropriate for rural locations and sites located within the AONBs. However, the Council has concerns that the proposed dwelling and agricultural building, together with the

associated paraphernalia necessary for the business would be highly visible in the landscape, and the clutter of buildings and associated fencing, hutches, pens, lighting, access track and removal of hedgerow would not conserve or enhance the special landscape character of the protected area.

2.23 Whilst agricultural development would not necessarily impact on the character of a landscape, in this instance, the proposal requires the erection of buildings and fencing, in addition to the removal of hedgerow and provision of an access track. These are not factors that are associated with all forms of agricultural development, rather the specific type of enterprise that is proposed on site. In this instance, the Council considers that the cumulative impact of these factors, combined with the identified concerns about the impact of the proposal on the Green Belt, are such that the proposal is considered to be harmful to the local landscape.

2.24 Firstly, the Applicant has failed to provide any justification as to why the proposed buildings are to be sited so far into the open site and open countryside. It is stated that the buildings are to be located on a flat piece of land, however, no justification is provided as to why other positions within the site are not suitable. The site plan shows the agricultural building to be located at some distance away from the entrance to the site. The agricultural building would then be sited approximately 16 metres to the north-west of the proposed dwelling. The siting of the buildings would be approximately 140 metres from the access to the site and this would generate a requirement to provide a lengthy access track (of around 140 metres) on the greenfield site in the Green Belt. The creation of this track which would run through the site, would further appear as an uncharacteristic urbanising feature that is at odds with the landscape character. No reason has been provided as to why the buildings, if deemed appropriate, could not be sited close to the site entrance, negating the need for a 140 metre access track to be provided across the site.

2.25 Similarly, in order to provide the new access, hedge loss would be required, but no justification has been provided as to why a new access is required. This would further change views of the site from Magpie Lane, and in the context of the wider AONB.

2.26 In addition, the Council contends that the siting of permanent pens, hutches, fencing and lighting would change the character of the site, resulting in the visual intensification of the use of the site and conflicting with the current nature and appearance of the site also.

2.27 Both the Case Officer report and reason for refusal relate to the Chiltern Landscape Character Assessment, 2011 which is included as an appendix to the Council's statement. As per this document, the site forms part of the "Penn Rolling Farmland". This is described as a large scale landscape, with a rolling topography and farmland land cover with limited settlement, which contributes to a well-balanced and uniform landscape. There is a sense of intimacy and enclosure with the high woodland cover and

limited settlement density. The strength of character is described as strong, with the lack of intrusive features making this a physically and visually intact landscape. The Landscape Guidelines for this Character Area include conserving open views across arable farmland to wooded horizons, conserving the intact, remote and peaceful character formed by the absence of modern development, promoting appropriate management of farmland to help maintain a visually attractive landscape and to ensure new buildings are sensitively integrated into the landscape through careful siting.

2.28 Furthermore, it is acknowledged that although no public footpaths pass through the site, a number (COL ½, COL 1A/1 and COL2/4) pass within close proximity to the site, and the site is very much viewed in the context of undeveloped rolling agricultural land to this side of the A355 and the Hodgemoor Wood SSSI located to the other side of the A333. These natural features contribute positively to the AONB and with the rising topography, mean that the site is visible from a number of vantage points in the locality, meaning that any development on this site would not be isolated from local views.

2.29 The above document specifically states that farmland should be appropriately managed and new buildings sensitively integrated into the landscape, in order to protect the character of the area. The Council contends that the siting of the proposed agricultural building and worker's dwelling, around 140 metres away from the site entrance to Magpie Lane and away from the site boundaries, would not integrate with the landscape, as it would introduce built form in an open, spacious part of the site. In addition to this, in the absence of sufficient justification for this rabbit rearing enterprise in this location, the associated paraphernalia, access road, fencing and lighting would further erode the openness of the site and the undermine 'remote and peaceful character formed by the absence of modern development' described in the Chiltern Landscape Character Assessment. For these reasons, it is considered that the proposal would harm the character of the existing site and would fail to comply with the provisions of Paragraph 176 of the NPPF and Local Plan Policy LSQ1 which provide great weight to the protection of AONBs.

2.30 The final reason for refusal relates to the Applicant's failure to provide sufficient ecological information to allow for an assessment of the proposal's impact on ecology and wildlife and, in particular, on protected species.

2.31 As part of the submission of the original planning application, the Applicant submitted a Preliminary Ecological Assessment and an Addendum to this document. Both were reviewed by the Council's Ecology Consultant who raised concerns that there was a reasonable likelihood of protected species being affected by the development, and requested the submission of additional information. The Ecologist's comments are included in the Appendix section of this report. The Applicant has not provided this information, either during the determination of the planning application or during the appeal process, and therefore the Council continues to maintain their objection.

2.32 Paragraph 180 of the NPPF states that 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, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it, should not normally be permitted.

2.33 Furthermore, Core Strategy Policy CS24 states that the Council will aim to conserve and enhance biodiversity within the District. In this respect it states that development proposals should protect biodiversity and provide for the long-term management, enhancement, restoration and, if possible, expansion, of biodiversity, by aiming to restore or create suitable semi-natural habitats and ecological networks to sustain wildlife. Where development proposals are permitted, provision will be made to safeguard and where possible enhance any ecological interest.

2.34 As assessment of the submitted Preliminary Ecology Appraisal raised a number of concerns, none of which have been addressed through the submission of additional information:

- No background data search was commissioned from the Local Environmental Records Centre for records of protected species/priority habitats in close proximity to the site.
- There are a number of ponds mapped within 500m of the site (including at least one within 250 m). The habitats on site appear to provide suitable terrestrial habitat for great crested newt which could be present in the area.
- The habitats (especially the more tussocky areas of grassland) also appear to provide suitable habitat for reptile species, foraging barn owl and ground-nesting bird species.
- The above issues are not addressed within the ecology report.
- The site is adjacent to Hodgemoor Wood Site of Special Scientific Interest (SSSI).

2.35 In the absence of the further information requested, the Council considers that it is not possible to assess the impact of the development on any potential species and to ensure that there is not a net loss of biodiversity or harmful impact on the adjacent Hodgemoor Wood SSSI and thus meet the requirements of the NPPF. Thus, the Council maintains this reason for refusal.

3.0 CONCLUSION

3.1 Given the above, the Council strongly considers that the proposal is contrary to the adopted Development Plan Policies and the NPPF and the Inspector is respectfully requested to dismiss this appeal.

SUGGESTED CONDITIONS

Without prejudice to the Council's case, if the Inspector is minded to allow the appeal, the LPA respectfully requests the following conditions are attached to the appeal decision:

1. General time limit.
2. The permission for the agricultural worker's dwelling hereby approved is granted for a limited period which will expire in three years since the date of this permission and at the expiration of this period, the agricultural worker's dwelling hereby permitted shall be removed from the site immediately and the land shall be restored to its former condition unless a further permission has been granted by the Local Planning Authority.
Reason: The Authority accepts the present need for agricultural worker's dwelling on this site, but considers it essential, in order to protect the openness of the Green Belt and the character of the AONB, that the unit hereby permitted is removed if that need has ended.
3. The occupation of the dwelling hereby permitted shall be limited to a person solely or mainly employed, or last employed in the locality in agriculture as defined in Section 336 (1) of the Town and Country Planning Act 1990, or in forestry (including any dependents of such a person residing with him\her, or a widow or widower of such a person).
Reason: The site lies in the Metropolitan Green Belt and an Area of Outstanding Natural Beauty wherein permission for development unrelated to the essential needs of agriculture and forestry would not normally be granted.
4. Before any construction work above ground level commences, details of the facing materials and roofing materials to be used for the external construction of the agricultural building and dwelling hereby permitted and any hard landscaping within the site shall be submitted to and approved in writing by the Local Planning Authority and the works shall be carried out in accordance with these details.
Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality and AONB.
5. Prior to the commencement of any construction works on site, detailed plans, including cross sections as appropriate, showing the existing ground levels and the proposed slab and finished floor levels of the agricultural building and dwelling hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed datum point normally located outside the application site. Thereafter the development shall not be constructed other than as approved in relation to the fixed datum point.
Reason: To protect, as far as is possible, the character of the locality and AONB.
6. No other part of the development shall begin until the new means of access has been sited and laid out in accordance with the approved drawing and constructed in accordance with

the Buckinghamshire Council guide note "Agricultural Vehicular Access Within the Public Highway".

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

7. Prior to occupation, a "lighting design strategy for biodiversity" for buildings, features or areas to be lit 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 wildlife and that are likely to cause disturbance in or around 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: The prevention of disturbance to species within the site during operation in accordance with Policy 24 of the Chiltern District Core Strategy.

8. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.
 - a. Description and evaluation of features to be managed.
 - b. Ecological trends and constraints on site that might influence management.
 - c. Aims and objectives of management.
 - 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 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: The prevention of disturbance to species within the site during operation in accordance with Policy 24 of the Chiltern District Core Strategy.

9. Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Class A of Part 2 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 will maintain the general character of the locality, AONB and the preserve the openness of the Green Belt.

10. Approved plans:

SC/BCH/01 (location plan) – submitted 13 January 2021.

SC/BCH/03 (block plan) – submitted 13 January 2021.

SC/BCH/04 (plans and elevations – timber cabin) – submitted 13 January 2021.

SC/BCH/05 (proposed access detail) – submitted 13 January 2021.

1:100 Plans and elevations agricultural building – submitted 13 January 2021.

APPENDIX

1. Chilterns Landscape Character Assessment (two parts).
2. Consultation comments: Ecology Officer (11 March 2021).
3. Consultation comments: Ecology Officer (07 February 2022).
4. Consultation comments: Great Crested Newts Officer (08 February 2022).
5. PA20/08566 Decision notice – Cornwall Council’s refusal for similar proposal.
6. PA20/08566 Officer report – Cornwall Council’s refusal for similar proposal.