



Appeal Decision

Hearing held on 5 December 2023

Site visit made on 5 December 2023

by E Dade BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 January 2024

Appeal Ref: APP/N0410/W/23/3326343

Land south of Glory Hill Lane, Holtspur, Beaconsfield

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Inland Limited against the decision of Buckinghamshire Council.
 - The application Ref PL/22/2329/FA, dated 31 May 2022, was refused by notice dated 1 February 2023.
 - The development proposed is change of use of land to sports pitches, with associated pavilion, storage, parking, boundary fencing and landscaping, along with a new vehicular access onto Wooburn Green Lane.
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Decision

1. The appeal is allowed and planning permission is granted for change of use of land to sports pitches, with associated pavilion, storage, parking, boundary fencing and landscaping, along with a new vehicular access onto Wooburn Green Lane at Land south of Glory Hill Lane, Holtspur, Beaconsfield in accordance with the terms of the application, Ref PL/22/2329/FA, dated 6 July 2022, subject to the following conditions:

Preliminary Matters

2. I have been provided a Section 106 agreement which includes planning obligations to compensate for biodiversity loss and to achieve a net gain of biodiversity. The Council has confirmed that, subject to those planning obligations, the development would provide a net gain in biodiversity. In this regard the proposal would satisfy the requirements of the development plan and I need not consider this matter further.
3. During the course of the appeal, the government published a revised National Planning Policy Framework (the Framework). In the interests of fairness, the main parties were invited to provide submissions on whether the revisions to the Framework are material to the proposal. In my decision, I have had regard to the revised Framework and the submissions made by the parties.

Main Issues

4. The main issues in this appeal are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies, including the effects of the proposal on the openness of the Green Belt;

- The effect of the proposal on the provision of community facilities at Wilton Park, with particular regard to sport provision;
- The effect of the proposal on the character and appearance of the area; and
- The effect of the proposal on the living conditions of the occupants of adjacent dwellings.

Reasons

Whether inappropriate development in the Green Belt

5. The site comprises an area of grass and scrub, interspersed with trees. The site is located within the Green Belt.
6. Policy GB1 of the South Bucks District Local Plan 1999 (LP) generally restricts development in the Green Belt. However, certain forms of development are supported, including the change of use of land and construction of new buildings to provide essential facilities for outdoor sport.
7. At paragraph 142, the Framework describes the essential characteristics of Green Belt being its openness and permanence and states the fundamental aim of Green Belt policy is to keep land permanently open. Paragraph 155 of the Framework identifies certain forms of development that are not inappropriate in the Green Belt, provided they preserve its openness, including engineering operations and material changes in use of land, such as for outdoor sport.
8. Paragraph 154 of the Framework regards the construction of new buildings within the Green Belt as inappropriate but provides certain exceptions that are not inappropriate. This includes, at paragraph 154b), "the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport... as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it".
9. The LP pre-dates the Framework's publication. Paragraph 225 of the Framework indicates policies should be afforded due weight having regard to the degree of consistency with it. Policy GB1 differs from the Framework insofar that it requires facilities for outdoor sport to be "essential", whereas the Framework requires such facilities be "appropriate". There is agreement between the parties that Policy GB1 applies a more stringent test than the Framework. On this basis, the weight to be afforded to Policy GB1 is diminished.
10. The proposed use of the land for outdoor sports would comprise a material change of use of the land within the context of Framework paragraph 155, and the proposed parking, access to the site, and levelling of land would form engineering operations.
11. Openness has both spatial and visual aspects. The proposal would introduce built volume to the site which would impact on Green Belt openness in spatial terms. I note the concerns raised from local residents regarding the effects of the proposal on Green Belt openness. However, through the exception provided by paragraph 154b, the Framework does not preclude all built development within the Green Belt. It is therefore a matter of planning judgement as to whether the proposal would preserve Green Belt openness.

12. The proposal would provide a total of 70 car parking spaces, including 3 disabled car parking space, representing a marginal over-provision of spaces against projected peak time demand. However, the Transport Statement indicates this volume of parking is appropriate based on the analysis of existing club players' travel patterns and the anticipated parking demand profiles presented. The proposed parking provision would not therefore be excessive and would be of a scale necessary to satisfy the proposed development's parking requirements. On this basis, the proposed parking would not represent a significant incursion of built form onto the site.
13. The top section of the ball stop netting would be partially visible above the height of trees from the bridge over the M40 at Wooburn Green Lane. In addition, there would be glimpsed views of the ball stop netting between the vegetation at Glory Hill Lane. The fencing and netting are necessary to maintain the safety of users of adjacent highways and occupants of nearby dwellings and are therefore appropriate to the proposed use. The height of the proposed fencing and netting reflects the recommendations of the Ball Trajectory Analysis Technical Report and therefore could not be reduced without harm to public safety. The fencing and netting would be visually permeable and viewed within the context of existing boundary vegetation and, in this regard, the visual effects on openness would be minimised.
14. The proposed pavilion would provide changing facilities for players and officials and a kitchenette, and the proposed store building would accommodate equipment in relation to the use of the pitches. Such facilities appear to be of a scale and type suitable for the proposed use of the site. Therefore, the volume of the buildings could not be reduced without compromising their function.
15. Along its boundaries, the site is generally enclosed by dense vegetation. As illustrated on the photomontage addendum to the Landscape and Visual Impact Assessment (LVIA), dense foliage situated on either side of the proposed access would obscure views into the site from Wooburn Green Lane, even in winter months. The majority of the parking area extends behind the rear gardens of dwellings fronting onto Wooburn Green Lane. Therefore, parking would generally be obscured from view from the public highway by existing development.
16. Views into the site from Wooburn Green Lane would generally be limited to the proposed access point where the ball stop fencing, pitches, store, pavilion, and parking area would be partially visible. This section of Wooburn Green Lane, between the bridge over the M40 motorway and roundabout junction with the A40, is outside of the built-up area and the national speed limit applies. Whilst served by a pedestrian footway, due to the limited amount of development in the area, pedestrians are likely to be infrequent. The access would be a relatively narrow opening in the row of vegetation within the site and adjacent to the highway. Therefore, views into the site from the access would generally be experienced as fleeting glimpses from passing vehicles. Therefore, the proposed facilities would not be prominently located and the visual impacts associated with the proposed access would be modest.
17. At present, the site is vacant. The proposed use would increase activity on the site, through users of the pitches, and increased vehicle movements, which would be visible from certain public vantage points, namely from the proposed access. This increase in activity would be as a consequence of the material

change of use of the land. In providing an exception for material changes of use, paragraph 155 of the Framework makes explicit reference to uses for outdoor sport, and it is therefore logical to conclude that changes in activity levels do not conflict with the Framework.

18. The site has clear, defined boundaries, including the M40 motorway to the south, Glory Hill Lane to the north, Glory Hill Cottage at the west, and Wooburn Green Lane and the row of semi-detached dwellings to the east. The proposed buildings and other built features, such as the access and parking, would be concentrated mainly within the eastern section of the site. The majority of the site area would comprise pitches and therefore would remain free from development and open in appearance. The proposal would not therefore result in unrestricted sprawl of large built-up areas and would not result in actual or perceived erosion of the gap between the settlements of Beaconsfield, Knotty Green and High Wycombe, and thus would not result in the merging of neighbouring towns or encroachment to the countryside.
19. A parcel of land to the northeast of the site is not included within the appeal site boundary. The proposal would not affect the status of adjacent land, which would continue to be subject to the requirements of local and national policies for managing development in the Green Belt. Consequently, the proposed development would not advance the likelihood of development of that land.
20. For the reasons set out above, the proposal would provide appropriate facilities which would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it. The proposal would therefore comply with the exception for outdoor sport development at LP Policy GB1.
21. The proposal would not conflict with the purposes of the Green Belt at paragraph 143 of the Framework and would satisfy the exceptions provided by Framework paragraphs 154b and 155. On this basis, the proposal would not be inappropriate development, and therefore would not lead to the harm described at paragraphs 152 and 153 of the Framework.

Provision of community facilities at Wilton Park

22. Wilton Park lies to the east of Beaconsfield and formerly served as the Ministry of Defence's School of Languages, providing housing and barrack accommodation, open space, and indoor and outdoor sport and recreation facilities. The Core Strategy 2011 (CS) allocates the Wilton Park site for redevelopment, with design guidance provided by the Wilton Park Development Brief Supplementary Planning Document 2015 (Wilton Park SPD). The first three phases of the development at Wilton Park, comprising 147 new dwellings, new children's nursery, café, and 2-hectare public park, are under construction.
23. There are three existing football pitches at the Wilton Park site. The Wilton Park SPD indicates the pitches should be relocated from their current position, towards the western boundary of the site, where they will be within easy walking and cycling distance of Beaconsfield and easily accessible by bus or car via a new vehicle access off the Pyebush Roundabout.
24. The CS Core Policy 14 requires the redevelopment of Wilton Park to retain the existing level of sports and recreational facilities, with qualitative improvements where appropriate, making them available for local clubs and public use.

25. The planning obligations contained within the s106 agreement that accompanies the outline planning permission secures provision of three pitches for youths, provided within a 2ha area along with a warm-up area and pavilion. The proposal would provide pitches at the appeal site as alternative provision to those pitches secured at Wilton Park. The submitted Deed of Variation would alter the s106 agreement relating to the Wilton Park development by reducing the provision of permanent formal pitches at Wilton Park.
26. The 2ha public park at Wilton Park would provide residents of Wilton Park with a large area to play casual games, including football. The replacement pitch strategy proposes to deliver two informal pitches at Wilton Park available for public use. The evidence before me does not suggest the provision of open space and recreation would be insufficient to meet the needs of future occupants of the development. Nonetheless, the proposal would result in a reduction of the level of sports facilities at Wilton Park through the loss of permanent formal pitches and would therefore be contrary to Core Policy 14.

Character and appearance

27. The site is undeveloped and uncultivated land which is not publicly accessible. The site is within the Beaconsfield Mixed Use Terrace Landscape Character Area (LCA) 22.1. The site shares some characteristics of the LCA, including its raised plateau topography, land use as a small-scale field parcel adjacent to transport corridors, and its vegetation comprising linear woodland blocks, giving a distinct wooded and enclosed character. The site is well contained by existing hedgerows and trees which provide a strong sense of enclosure and form landscape features of merit.
28. There are dwellings to the immediate east of the site at Wooburn Green Lane and northwest at Glory Hill Lane. The built area of Beaconsfield is a short distance to the north. The site is therefore located at the settlement edge.
29. The site lies between the A40 road and M40 motorway to the south. These major road corridors form dominant features which detract from the quality of the landscape. The Landscape and Visual Impact Assessment (LVIA) describes the site and immediate surrounding landscape as having low landscape quality. This is consistent with my own findings with regard to the detractors within the locality, notably the presence of the A40 and M40.
30. The proposed site access would adjoin Wooburn Green Lane which comprises a carriageway with a pedestrian footway and vehicular accesses to dwellings on one side, with a roundabout at the northern end and a bridge over the motorway to the south. Such highway infrastructure is formative of the character at this location.
31. To accommodate the new access to Wooburn Green Lane, the proposed development would involve the removal of a section of hedgerow which the LVIA concludes is not of significant quality. The location of the new access is set back from the adjacent dwellings and would appear in keeping with the character of Wooburn Green Lane.
32. As discussed above, the proposal's built features would generally be obscured from view from the public highway, with views into the site generally experienced as glimpses through the site access. In particular, the siting of the parking would ensure its visual impacts are minimised from public vantage

points. There is disagreement between the parties regarding the suitability of the use of grasscrete to further minimise the visual impact of the parking area. However, the details of the landscaping mitigation can be resolved through the scheme of landscaping secured through the suggested condition.

33. As illustrated on the indicative landscape masterplan, the proposal would retain existing dense vegetation at boundaries and would enhance this screening with additional planting. Proposed tree planting amongst car parking will further mitigate and filter views of the cars, pitches, and associated infrastructure. The enhancement of landscaping planting is a requirement of LP Policy E4, and the effect of such planting would be to screen the development from public vantage points and assimilate the ball stop fencing and netting into the street scene.
34. A parcel of land to the northeast of the site, situated between the appeal site's boundaries and Wooburn Green Lane and Glory Hill Lane would remain undeveloped. This land includes dense vegetation at its boundaries with the public highway and is interspersed with trees. This parcel of land would not highlight the change in character of the appeal site but would provide further separation and screening between the site and publicly accessible viewpoints.
35. The size of dwelling plots and boundary enclosure of nearby dwellings would generally obscure views into the site from ground floor windows and gardens of nearby dwellings. Glory Hill Cottage is situated to the west of the site, and due to the change in topography is set down from the site's ground level. However, views into the site would generally be obscured by boundary vegetation. Therefore, the extent of perceived visual change for occupants of adjoining dwellings would be low.
36. The proposed development would result in the change of character from an agricultural field to outdoor sports provision with associated increased activity and built form. However, due to the high degree of enclosure and screening by vegetation, the visual effects of the proposal would be highly localised, being principally experienced within the site itself, with limited visual prominence from the wider landscape and street scene. For these reasons, the proposed development, including the access and parking arrangements, would not dominate the landscape and the proposal would not be detrimental to the character and appearance of the area.
37. The proposal would therefore comply with CS Core Policy 9 which prevents development that would harm landscape character, and LP Policy EP3 which requires the scale, layout and siting of development not adversely affect the character of the locality.
38. In addition, the proposal would satisfy paragraphs 135 and 180 of the Framework which require proposals be sympathetic to local character, including the landscape setting, and recognise the intrinsic character and beauty of the countryside.

Living conditions

39. Adjacent to the south-east corner of the site is a row of six semi-detached dwellings fronting onto Wooburn Green Lane. To the west of the site are three detached dwellings. The site is therefore located close to existing dwellings.
40. From my site visit I noted that, due to the site's proximity to major road corridors, the site and surrounding area experiences relatively high levels of

background noise. The proposed sporting use would generate sounds such as from whistles, shouting, balls being kicked, and vehicle movements. Whilst the traffic noise is continual, some respondents raised concerns that noise associated with the proposed development would be more noticeable due to its intermittent nature. The suggested condition limiting use of the site to weekends and bank holidays between 9am and 4pm would aid in reducing potential noise disturbance. However, concerns were raised that noise would occur when occupants of nearby dwellings would be likely to be at home.

41. The noise assessment calculates sound levels from the use of the pitches on match days and training days and from car movements and from vehicle doors being slammed, and modelled the noise impacts of the proposed development at dwellings adjoining the appeal site. The assessment concludes that taking into account background noise levels, sound levels at nearby residential dwellings do not exceed the measured background and ambient sound levels. The highest noise change is at nearby dwelling, 'Greenovers', however, the assessment concludes the magnitude of change would be negligible.
42. The noise assessment therefore demonstrates the perception of noise for occupants of neighbouring properties would not be significant and the proposal would not cause nuisance for neighbouring properties in respect of noise. I also note the Council's Environmental Health team has had regard to the noise assessment and considers that significant adverse impacts on nearby residential dwellings would be unlikely. Furthermore, the parties have put forward a condition requiring submission and approval of a noise management plan.
43. Glory Hill Cottage is situated west of the appeal site and is set down from its ground level by approximately 6 metres. Whilst there is some existing screening from boundary vegetation, the dwelling's first-floor windows and balcony doors are visible from the proposed location of the 5-a-side pitch.
44. Enhanced landscape planting, as illustrated on the indicative landscaping plan, would screen views between the pitch and Glory Hill Cottage. The parties have put forward suggested conditions requiring submission and implementation of a scheme of soft landscaping. Such conditions would ensure privacy would be maintained for occupants of Glory Hill Cottage. Due to the height of the proposed planting and distance from the dwelling, I do not consider such planting would result in a loss of daylight for occupants of Glory Hill Cottage.
45. Some residents raised concerns regarding the effects on security. The proposed fencing and additional planting would strengthen the site's boundaries, and there is no evidence to suggest the proposal would threaten the security of nearby properties.
46. Use of external lighting, such as floodlighting, would risk harm to living conditions for occupiers of nearby properties. However, construction of floodlights or other external lighting at the site can be restricted through planning conditions.
47. Some respondents were concerned the proposed pitches would be used by adults, resulting in increased disturbance. However, the pitches are designed for the purposes of youth football and would not be suitable for adult sport.

48. For the reasons set out above, the proposed development would not adversely affect the living conditions of adjacent dwellings. The proposal would therefore comply with Policy EP3 of the Local Plan which requires proposals to ensure the use of land and scale and layout of development do not adversely affect the amenity of nearby properties.
49. In addition, the proposal would satisfy paragraphs 135, 180, and 191 of the Framework which together require proposals to take into account the likely effects on living conditions, and to not undermine quality of life nor subject existing development to unacceptable levels of noise pollution.

Other Matters

50. Concerns were raised that users of the proposed development would be exposed to noise and air pollution from motorway traffic. The noise assessment provides background noise data for the site ranging from 53-58dB and is not at a level considered harmful to health. The air quality assessment demonstrates the site is suitable for the introduction of new recreational uses. The evidence does not suggest users of the development would be placed at harm from noise or air quality.
51. Some respondents suggested the proposed development would harm highway safety and the efficient operation of the road network. The application is supported by a Transport Statement and Travel Plan which demonstrate the effects of the development on the highway would be acceptable. Buckinghamshire Highways were consulted on the scheme and advised there would not be a material impact on the surrounding junctions, that the network is capable of accommodating anticipated vehicular movements, and that adequate visibility splays can be achieved from the proposed access point. As set out above, parking provision has been informed by analysis of travel habits and is considered adequate to meet the needs of the development. Therefore, subject to the highway conditions attached to my decision, the proposed development would not harm highway safety or lead to congestion.
52. The Ecological Appraisal indicates that, with the exception of a 10-metre section of hedgerow, the site does not comprise priority habitats and does not consider habitat loss from the proposed development to be significant. The proposed development includes the creation of new hedgerow, scrub and wildflower grassland, and wildlife installations including hibernacula, dead wood habitat, bird and bat boxes and introduction of particular food plants for invertebrates. I note the concerns raised regarding the effects of the proposal on habitats and species and the location of enhancement measures. However, the proposal demonstrates that an overall net gain in biodiversity would be achieved, as required by the development plan and Framework.
53. Overhead cables and water supply infrastructure were identified at the site by a respondent. Where utilities require relocation, the appellant will need to seek permission of the relevant utilities providers.

Planning Balance

54. Beaconsfield Town Youth Football Club (BTYFC) has rented the existing football pitches at Wilton Park for many years. The use of the pitches by BTYFC is on an annual licence basis and there is no other formally agreed community use of the existing pitches.

55. Membership of BTYFC is open to local youths and currently has a large membership comprising 520 members. Therefore, I consider that any benefit to BTYFC as a result of sport provision associated with the appeal proposal is a benefit to the Beaconsfield community as a whole. Evidence of the local support for the proposal is further illustrated through the 84 written comments and petition with 530 signatories received in support of the development.
56. The Wilton Park pitches therefore serve an existing use by BTYFC which draws its membership from across the Beaconsfield area. Since the needs of BTYFC would be met by the appeal proposal, demand for pitches at Wilton Park would also be reduced. As set out above, the Wilton Park development would include provision of other open space, sport and recreation facilities and the evidence before me does not suggest the pitches are required to meet the needs of future occupants of the Wilton Park development. Therefore, there is no apparent functional need for the pitches to be located at Wilton Park.
57. Sport England is a non-departmental public body responsible for growing and developing grassroots sport and in its consultation response advised that the area lost as a result of the proposed development should be replaced, prior to the commencement of development, by a new area of playing field of equivalent or better quality and quantity, in a suitable location, and subject to equivalent or better accessibility and management arrangements.
58. The appeal proposal would provide a greater quantity of sports provision, through a site area of 2.97ha with four pitches, thereby exceeding the planned permanent provision at Wilton Park which would comprise a 2ha site with three pitches. In addition, the proposal would provide dedicated facilities to serve the club such as the pavilion with changing facilities and kitchenette, thereby providing greater quality of provision.
59. The appeal proposal would secure a permanent home ground for BTYFC, thereby providing stability not offered by the provision described by the Wilton Park SPD or Core Strategy. The appellant suggests this certainty would enable BTYFC to grow and achieve aspirations including provision for girls' football teams. Whilst it is difficult to guarantee such organisational objectives through the planning process, the appellant adequately demonstrates that in the absence of the proposed development, such community benefits are not likely to be realised. The proposal would therefore provide better management arrangements than would be available at Wilton Park.
60. Wilton Park is situated at the east of Beaconsfield, whereas the appeal site adjoins the western edge of the town. Relocation would require future occupants of Wilton Park to travel a greater distance to access the pitches. However, due to the existing large membership of BTYFC, most users would not be residents of the Wilton Park development.
61. The site is an edge of settlement location which is accessible via the public highway and is served by a pedestrian footway. Therefore, the proposal would be in a suitable location to serve BTYFC's members. For these reasons, the proposal would satisfy the criteria for relocation of pitches provided by Sport England.
62. It has been put to me that, since the proposal would be for the exclusive use of BTYFC, other groups would be disadvantaged. However, the existing Wilton Park pitches are not available for use by any other groups at present. The

permanent pitch provision at Wilton Park would comprise three football pitches for under 11/12s, 13/14s, and 15/16s age groups and therefore would serve the purposes of youth football. It has not been demonstrated that the pitches would be suitable for use by any other group and therefore I do not consider other groups would be disadvantaged by the proposal.

63. Some respondents raised concerns the proposal would result in duplication of facilities. However, it is my understanding that BTYFC would continue to require use of the existing pitches near to the appeal site at Wooburn Green Lane. In addition, there would be a modest enhancement to accessibility by consolidating pitches in this area.
64. Whilst there would be a technical conflict with CS Core Policy 14 arising from the reduction in the provision of pitches at Wilton Park, the proposed development would provide an increase in the overall quantity and quality of sport provision in the Beaconsfield area which would satisfy Sport England's criteria for the relocation for pitches.
65. At paragraph 103b), the Framework supports the development of land providing open space and sport provision where the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. Therefore, having regard to the provisions of paragraph 103b) of the Framework, along with the advice from Sport England, I consider this material consideration would outweigh the conflict with CS Core Policy 14.

Conditions

66. The Statement of Common Ground sets out suggested conditions, including some pre-commencement conditions, which have been agreed by both main parties. In addition to the standard time limit for implementation, in the interests of certainty I have attached a condition specifying the approved plans.
67. Due to the site's proximity to the strategic road network, conditions are necessary to maintain highway safety and the efficient and effective operation of this route, including the submission and approval of details of excavation and fencing, drainage, and construction management.
68. A condition requiring submission and approval of a surface water drainage scheme is necessary to secure the appropriate management of flood risk. To minimise risks from land contamination to future users and neighbours, and to land, water, and ecological systems, and to address contamination identified on site, I have attached conditions requiring submission of a remediation scheme, construction dust management plan, and scheme to deal with contamination risks, along with measures in the event contamination is discovered during construction.
69. In the interests of preserving archaeological remains, I have attached a condition requiring a programme of archaeological works be undertaken prior to commencement of development.
70. I have attached a condition to secure the standard and layout of pitches in accordance with the approved plans and Sport England guidance. In addition, to ensure the facility is adequately managed and maintained, I have attached a condition requiring submission of a management and maintenance schedule.

71. In the interests of highway safety and sustainable travel, I have attached conditions relating to the site's vehicular access, visibility, management of construction traffic and provision of electric vehicle charging points.
72. To mitigate the visual impacts of the development and maintain the character and appearance of the site, I have attached conditions requiring the submission of schemes of hard and soft landscaping works, and subsequent implementation, maintenance, and tree and hedgerow protection, and the submission of a schedule of external materials to be used in the development.
73. To ensure the living conditions of neighbouring occupiers are not adversely affected by the development, I have attached a condition specifying the periods for use and maintenance of the facility and requiring submission of a noise management plan. In addition, to maintain the living conditions of neighbouring occupants, highway safety, and the character and appearance of the area, including Green Belt openness, I have attached conditions to limit the use of floodlights and external lighting, and requiring submission of details of the ball stop netting and means of enclosure.
74. To mitigate the effects of development on biodiversity, I have attached conditions specifying the details to be provided through the construction environmental management plan and landscape and ecological management plan.

Conclusion

75. As set out above, I have found the proposal would not form inappropriate development and would not harm Green Belt openness. I have found no harm in respect of the character and appearance of the area, or the living conditions of occupiers of nearby properties. The proposal would result in a reduction of sports pitches at Wilton Park and on this basis would conflict with the development plan.
76. However, the proposal would increase the quantity and quality of sport pitch provision in the area. Therefore, there are material considerations, including the provisions of the Framework, which outweigh the conflict with the development plan. I therefore conclude the appeal should be allowed.

E Dade

INSPECTOR

Schedule of Conditions

- 1) The development to which this permission relates must be begun before the expiration of three years from the date of this permission.
- 2) Prior to the commencement of any excavation works and landscaping works including fencing, geotechnical submissions (in accordance with DMRB Standard CD622) shall be submitted to and agreed in writing by the local planning authority (in consultation with National Highways). The development shall be carried out in accordance with the approved details.
- 3) No development shall commence until full details of new drainage and its location shall be submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways.) The development shall thereafter be undertaken in strict accordance with the approved details which shall be implemented prior to the first use of the development hereby permitted and retained in accordance with the agreed specification. No surface water shall be permitted to run off from the development hereby permitted on to the Strategic Road Network or into any drainage system connected to the Strategic Road Network. No drainage connections from any part of development hereby permitted may be made to any Strategic Road Network drainage systems.
- 4) No development shall commence until a Construction Environmental Management Plan (CEMP) covering the site has been submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways). The CEMP shall include, but not be limited to, the following:
 - a) Construction Traffic Management Plan (to include the co-ordination of deliveries and plant and materials and the disposing of waste resulting from demolition and/or construction so as to avoid undue interference with the operation of the public highway, particularly during the Monday/Friday AM Peak (0800-0900 hours) and PM Peak (1630-1800 hours) periods);
 - b) An estimate of the daily movement of the construction traffic;
 - c) The hours of construction work and deliveries;
 - d) Area(s) for the parking of vehicles of site operatives and visitors;
 - e) Area(s) for the loading and unloading of plant and materials;
 - f) Area(s) for the storage of plant and materials used in constructing the development;
 - g) Details of waste management arrangements;
 - h) Consideration of emissions to air, water and land, including noise and vibration, dust, general discharges and appropriate mitigation strategies;
 - i) the storage of materials and construction waste, including waste recycling where possible;
 - j) Risk Assessments and Method Statements for the works; and
 - k) Contact details of personnel responsible for the construction works.
- 5) No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles shall have been submitted to and approved in writing by the local planning authority. The scheme shall

subsequently be implemented in accordance with the approved details before the development is completed and retained thereafter. The scheme shall also include:

- a) Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index; priority should be given to above ground SuDS components;
 - b) Further infiltration rate testing in accordance with BRE 365 within SA101
 - c) Drainage layout detailing the connectivity between the development and the drainage component(s), showing pipe numbers, gradients and sizes, complete together with storage volumes of all SuDS component(s);
 - d) Specific calculations for the proposed soakaway which is inclusive of the critical storm duration and demonstrates that the proposed soakaway provides sufficient storage for the 1 in 100 year +40% climate change allowance storm;
 - e) Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site;
 - f) Construction details of all SuDS and drainage components;
 - g) Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance; and,
 - h) Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction.
- 6) No development shall commence until the following components of a scheme to deal with the risks associated with contamination of the site have been submitted to and approved in writing by the local planning authority:
- a) A supplementary investigation, based on the Desk Study and Ground Investigation prepared by Hydrock (Report ref. 20460-HYD-XX-XX-RPGE-1001) 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.
 - b) The site investigation results and the detailed risk assessment (a) 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.
 - c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (b) 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.

- 7) 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 written approval. The approved monitoring and maintenance programme shall be implemented.
- 8) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. The approved remediation scheme must be implemented in accordance with the timescale set out therein. 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.
- 9) No development shall commence until a Construction Dust Management Plan (CDMP) has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved CDMP.
- 10) No development shall take place until a programme of archaeological work has been undertaken in accordance with a written scheme of investigation which has been submitted to and approved in writing by the planning authority.
- 11) The playing field and pitches shall be constructed and laid out in accordance with the approved plans and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011) and retained as such thereafter.
- 12) Before the playing field and pitches are brought into first use, a Management and Maintenance scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local planning authority (in consultation with Sport England). The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the playing field and pitches and for the duration of the use thereafter.
- 13) 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(s) and constructed in accordance with the Buckinghamshire Council guide note

“Commercial Vehicular Access within the Public Highway” and retained thereafter.

- 14) The scheme for parking and manoeuvring of vehicles, cycles and minibuses as indicated on the submitted plans hereby approved shall be laid out in full prior to the commencement of use of the development hereby permitted and that area shall not thereafter be used for any other purpose, unless otherwise agreed in writing by the Local planning authority.
- 15) No other part of the development shall begin until visibility splays have been provided on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point to the give way line at the roundabout junction with the A40 to the left upon exit, and the maximum achievable splay to the right upon exit along the edge of the carriageway measured from the intersection of the centre line of the access, but with a minimum splay of 112 metres in length. The area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.
- 16) The use hereby approved shall not be brought into use until an area has been laid out within the site for vehicles to turn in general accordance with the approved plans (1915/P/01 Rev C) and that area shall not thereafter be used for any other purpose, unless otherwise agreed in writing by the Local planning authority.
- 17) Prior to the use commencing (or such other date or stage in development as may be agreed in writing with the Local planning authority) the off-site highway works shown in principle on drawing 2021/6288/003 Rev P5 which comprises of upgraded crossing points which include tactile paving at the following existing crossing positions:
 - a) The proposed site access;
 - b) Wooburn Green Lane in the site's vicinity;
 - c) The east arm of the A40/Wooburn Green Lane roundabout junction shall be laid out and constructed in accordance with details to be first approved in writing by the Planning Authority (in consultation with the Highway Authority).
- 18) No development shall commence until a Construction Traffic Management Plan detailing the management of construction traffic (including vehicle types, frequency of visits, expected daily time frames, use of a banksman, on-site loading/unloading arrangements, access arrangements and parking of site operatives vehicles) shall be submitted to and approved in writing by the Local planning authority (in consultation with the Highway Authority). Thereafter, the development shall be carried out in accordance with the approved Plan.
- 19) Prior to first use of the car parking area, Electric Vehicle Charging infrastructure shall be installed to serve four cars. The Electric Vehicle Charging

infrastructure shall be maintained and kept in good working order thereafter, as specified by the manufacturer.

- 20) Notwithstanding any indications illustrated on drawings already submitted, no development shall take place until a report and plan has been submitted to and approved in writing by the Local Planning Authority, which shows the extent of the existing trees, shrubs and hedgerows on the site and detail, including crown spreads, of those to be retained.
- 21) Within six months of commencement of development or prior to first use whichever is the sooner, a detailed scheme of soft landscape works shall be submitted to and approved in writing by the Local Planning Authority, which shall include (but not limited to):
- a) Planting (including trees, shrubs, seeding, other plants and grass) plans, which shall include but is not limited to new tree and shrub planting to strengthen the boundary with Glory Hill Cottage;
 - b) Written specifications (including soil depths, mulching, cultivation, watering/irrigation, staking and other operations associated with tree, plant and grass establishment);
 - c) Schedules or plants noting species, planting sizes and proposed numbers/densities;
 - d) For sustainable tree planting, the soft landscape works shall incorporate underground systems and provide a sufficient area of growth medium for long term tree growth where tree development is compromised by hard landscaping such as pavements, car park areas and structures (if there is hardstanding on more than one side of proposed tree planting then underground systems must be implemented); and,
 - e) a programme of planting.

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. The developer shall complete the approved landscaping works and confirm this in writing to the local planning authority prior to the date agreed in the programme of planting.

- 22) 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 commencement of the development hereby permitted or the substantial completion of the development, whichever is the sooner or as may be specified in the programme of planting secured under condition 21 e). 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.

- 23) The development shall be implemented in accordance with the arboricultural method statement by TGA dated 16.05.2022 including Tree Protection Plan ref TGA.2428.TPP.002A submitted and approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the phasing of the development accords with the stages detailed in the method statement and that the correct materials and techniques are employed.
- 24) Within 6 months of commencement of development or prior to first use whichever is the sooner, details of hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. All hard landscape works shall be carried out in accordance with the approved details and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.
- 25) The use of the site hereby approved shall only operate between the hours of 9.00am to 4.00pm on Saturdays, Sundays and Bank Holidays. Grounds maintenance shall only operate from 9.00am to 4.00pm Mondays to Sundays, and at no time on Bank Holidays unless otherwise agreed in writing.
- 26) Prior to the use commencing on site, a Noise Management Plan (NMP) shall be submitted to and approved in writing by the Local Planning Authority. The NMP shall set out a strategy for the management of noise from the use of the facilities. The approved NMP shall be implemented for the duration of the development.
- 27) No development (in respect of the pavilion and equipment store) shall take place until a schedule of all external materials to be used in the construction of these buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details, and retained as such thereafter, unless otherwise agreed in writing.
- 28) No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

- h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.
- 29) 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 LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall 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 LEMP shall be implemented in accordance with the approved details for the duration of the development.
- 30) Notwithstanding The Town and Country Planning Act 1990 (as amended) (or an Act that revokes or re-enacts it) and The Town and Country Planning General (Permitted Development) Order (England) (as amended) no floodlight or other external lighting shall be constructed at the site.
- 31) No development shall commence until details of the size (length, width and height), siting, construction and materials of the ball stop netting and its associated infrastructure including attachments, posts and fencing have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and constructed prior to first use and retained thereafter.
- 32) Prior to the ball stop netting being brought into first use a management plan, which shall include details on how the netting, posts and fencing will be maintained shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. Thereafter, the ball stop netting, posts and fencing shall be maintained in accordance with the approved management plan for the duration of the development.

- 33) Within 6 months of commencement of development or prior to first use whichever is the sooner, further details of the siting, height and design (including materials) of all walls, fencing, gates or other means of enclosure shall be submitted to and approved in writing by the local planning authority. Thereafter, all walls, fencing, gates or other means of enclosure shall be erected/installed in accordance with the approved details before the first use of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority. Thereafter the approved means of enclosure shall be retained and notwithstanding Class A, Part 2, Schedule 2 of The Town & Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order) no further gate, wall, fence or other means of enclosure shall be constructed on the site.
- 34) The development hereby permitted shall not be carried out except in accordance with the following approved plans unless otherwise first approved in writing by the Local Planning Authority: 1915/P/02 Rev A; 1915/P/01 Rev C; 1915/P/03 Rev A; 20460-HYD-XX-XX-DR-C-1010 Rev P05; 20460-HYD-XX-XX-DR-C-1020 Rev P01.

END OF SCHEDULE

APPEARANCES

FOR THE APPELLANT:

Andrew Smith BSc (Hons) MSc CMLI	Managing Director, Fabrik
Oliver Bell Bsc Msc MRTPI	Director, Nexus Planning
David Forsdick KC	Barrister, Landmark Chambers
Michael Reyner BA MBA	Chairman, BTYFC
Keith Lancaster	Legal Director, Gately

FOR THE LOCAL PLANNING AUTHORITY:

Laura Peplow BSc MSc MRTPI	Principal Planning Officer
Elizabeth Aston BSc DipTP MRTPI	Planning Officer
Charles Merrett	Counsel
Hugo Woodley	Planning Officer

INTERESTED PARTIES:

Mrs Annette Sumner	Local resident
Cllr Paul Mason	Beaconsfield Town Council
Martin White	Coach, BTYFC
Brian Lewis	Club Secretary, BTYFC

DOCUMENTS

1. Draft Section 106 Agreement
2. Draft Deed of Variation to Section 106 Agreement Ref: 17/01763/OUT

PLANS

1. Contextual Colour Masterplan