



Planning, Growth & Sustainability

Walton Street Offices
Walton Street
Aylesbury
HP20 1UA

planning.wyc@buckinghamshire.gov.uk
01494 412246
www.buckinghamshire.gov.uk

Agent :

RT Planning
4 St James Way
Bierton
HP22 5ED

Applicants Details :

Laura and Rae Gatlon-Hanlon
Oaklands Riding School
Frieth Road
Marlow
Buckinghamshire
SL7 2QU

APPLICATION NO: 25/05682/OUT

Town and Country Planning Act 1990

**Town and Country Planning
(Development Management Procedure) (England) Order 2015**

In pursuance of its powers under the above-mentioned Act and Orders the Buckinghamshire Council as Local Planning Authority hereby PERMIT:-

Proposal: Outline application (including details of access) for demolition of existing barns and stables and erection of 1 x self-build / custom build residential dwelling and ancillary stables with all other matters reserved

At: Oaklands Riding School
Frieth Road
Marlow
Buckinghamshire
SL7 2QU

In accordance with your application received on 19.03.2025 and the plans and particulars accompanying it.

It will be subject to the following condition(s):-

- 1 Application for approval of the reserved matters of appearance, landscaping, layout and scale shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
Reason:
To comply with the requirements of Section 92 of the Town & Country Planning Act 1990.
- 2 The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers 2889-PL100 and 2889-PL101; unless the Local Planning Authority otherwise first agrees in writing.
Reason:
In the interest of proper planning and to ensure a satisfactory development of the site.
- 3 The details to be submitted for the approval of the Planning Authority within a Reserved Matters application seeking to determine matters of Layout shall include a scheme for parking and manoeuvring in accordance with Buckinghamshire Council's Buckinghamshire Countywide Parking Guidance policy document. The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and that area shall not be used for any other purpose.
Reason:
To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.
- 4 The following shall be submitted to and approved in writing by the Local Planning Authority before any development takes place:
 - a) A detailed site investigation has been carried out to establish:
 - i) If the site is contaminated;
 - ii) To assess the degree and nature of the contamination present;
 - iii) To determine the potential risks to human health, the water environment, the natural and historical environment, and buildings and other property by contaminants;
 - iv) Such detailed site investigation to accord with a statement of method and extent which shall previously have been agreed in writing by the Local Planning Authority and
 - b) The results and conclusions of the detailed site investigations referred to in (a) above have been submitted to and the conclusions approved in writing by the Local Planning Authority and
 - c) A scheme showing appropriate measures to prevent the pollution of the water environment, to safeguard the health of intended site users, and to ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation and approved conclusions has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in (c) above.

Reason:

This is a pre-commencement condition to ensure that the potential contamination of this site is properly investigated and its implication for the development is fully taken into account.

- 5 No development shall take place above slab level until details of barn owl box(es) and swallow nest site mitigation (either on the flank(s) of the dwelling or in a log storage structure within the red edge) have been submitted to and approved in writing by the Local Planning Authority. Any approved mitigation measures shall be implemented prior to the first occupation of the development hereby permitted and shall thereafter be retained.

Reason:

To ensure sufficient mitigation is provided for both species.

- 6 The development hereby approved shall store all additional run off within the site and either reuse it or release it into the ground through infiltration. Where the additional runoff is not to be re-used or on-site infiltration methods are not proposed, details of how the risk of flooding elsewhere will not be increased shall be submitted to and approved by the local planning authority prior to any development taking place. The approved details shall thereafter be implemented prior to the development being brought into use and thereafter managed and maintained for the lifetime of the development.

Reason:

To ensure that the development does not increase the risk of flooding elsewhere.

- 7 The dwelling(s) hereby approved shall be constructed to meet as a minimum the higher standard of 110 litres per person per day using the fittings approach as set out in the 'Housing: optional technical standards' guidance and prescribed by Regulation 36(2)(b) of the Building Regulations 2010.

Reason:

The site is in an area of serious water stress requiring water efficiency opportunities to be maximised; to mitigate the impacts of climate change; in the interests of sustainability; and to use natural resources prudently, and in accordance with Policy DM41 of the Wycombe District Local Plan (adopted August 2019) and guidance contained in the NPPF (2024).

- 8 Each residential unit ('Unit') in the development hereby permitted shall be constructed as a self-build or custom housebuilding dwelling within the definition of self-build and custom housebuilding housing in the Self-build and Custom Housebuilding Act 2015:
1. The first occupation of each Unit shall be by a person or persons who had a primary input into the design and layout of the unit;
 2. Buckinghamshire Council shall be notified of the persons who intend to take up first occupation of each Unit at least one month prior to first occupation.
- Reason:
- To secure the use of the land for custom and self-build housing only, to ensure the development falls within the exemption as set out in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.
- 9 No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.
- Reason:
- In the interest of visual amenity of this sensitive rural site within the Chilterns Area of Outstanding Natural Beauty.

INFORMATIVE(S)

- 1 In accordance with paragraph 39 of the NPPF (December 2024) Buckinghamshire Council (BC) approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. BC work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application. In this instance, following the submission of the self-build / custom housebuilding proforma, the application can be recommended for approval.
 - 2 Biodiversity Gain Plan not required
- The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:
- (a) A Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) The planning authority has approved the plan

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Buckinghamshire Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply:

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition

1. The application for planning permission was made before 12 February 2024
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town Country Planning Act 1990 and
 - i) The original planning permission to which the section 73 planning permission relates was granted before 12 February 2024; or
 - ii) The application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.

The permission which has been granted is for development which is exempt being:

Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- * The application for planning permission was made before 2 April 2024;
- * Planning permission is granted which has effect before 2 April 2024; or
- * Planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates was exempt by virtue of (i) (ii).

Development below the de minimis threshold, meaning development which:

- * Does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and rural Communities Act 2006); and

* Impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Development which is subject of a householder application within the meaning of article 2(1) of the Town and country Planning (Development Management Procedure) (England) order 2015. A “householder application” means an application for planning permission or development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which not an application for change of use or an application to change the number of dwellings in a building.

Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applied in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

Self and custom Build Development, meaning development which:

- * Consists of no more than 9 dwellings;
- * Is carried out on a site which has an area no larger than 0.5 hectares; and
- * Consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1 (a1) of the Self-build and Custom Housebuilding Act 2015).

Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in Section 1(2) of the High Speed Rail (Preparation) Act 2013.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) Do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) In the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

Phased Development

If the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990. The permission has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and amendments) (England) Regulations 2024 would apply if the permission were subject to the biodiversity gain condition.

In Summary: Biodiversity gain plans would be required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (Phase plans).

- 3 Your attention is drawn to the consultation comments received from the Strategic Environmental Protection Team in relation to construction phase environmental controls, radon, foul water and heat pumps.

Dated: 17 June 2025



Eric Owens
Service Director of Planning & Environment
On behalf of the Council

Decision Making Officer	Ray Martin
Case Officer	Helen Braine

FURTHER INFORMATION:

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.