

HITCHAM & TAPLOW

PRESERVATION SOCIETY

NEWS LETTER NO. 14

APRIL 1967

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## GRAVEL

The most important event during the last six months has been the Public Inquiry into the Barge Farm Gravel Application. At the request of the Society Mr. Blee, a member of the Committee, represented us at the hearing. This was expected to last one day, but in fact took three whole days. We are particularly grateful to Mr. Blee for his work on this occasion, and present for members his abbreviated report.

### Report by Mr. David Blee

#### Proposed Gravel Extraction, Barge and Amerden Farms, Taplow Appeal by Messrs. Wm. Boyer & Sons against refusal by the Bucks County Council

The Society received a short term notification on 9th January of the appointment by the Ministry of Housing & Local Government of an Inspector to hold a Public Inquiry on the Appeal by Messrs. Wm. Boyer & Sons against the decision of the Bucks County Council who had refused permission for gravel extraction from some 350 acres of land comprising the present Barge and Amerden farms.

In accordance with the objects of the Society your executive council forthwith lodged an objection to the Appeal and your Chairman addressed a letter to the Minister of Housing & Local Government in the following terms:-

"The Hitcham and Taplow Preservation Society wish to object in the strongest possible terms to the Appeal by Wm Boyer & Sons Ltd. against the decision of the Bucks County Council; the Society warmly support the Council in their refusal to permit the extraction of gravel from some 44 acres of land west of Marsh Lane forming part of Barge and Amerden Farms, Taplow.

"The grounds upon which the Society objects to the Appeal broadly are:

1. Such extension would do irreparable damage to valuable agricultural land.
2. The water level in the area is such that it would be virtually impossible to restore the land to its original and existing purposes.
3. Further despoilation of this serene area and of the landscape would be inevitable.
4. The nuisance of noise and dust and the constant passage of heavy road vehicles would be intolerable for local residents.
5. In general the surrounding road access is of itself unsuitable for the two way passage of heavy vehicles.
6. The existing accident risk on the section of the A4 road immediately adjacent to Marsh Lane would be considerably increased.

"In lodging this objection to the Appeal, the Society have authorised Mr. David Blee CBE, M. Inst.T., a member of the Executive Committee of the Society, to appear at the Inquiry on behalf of the Society, further to develop and supplement our objections."

This communication was handed by the Minister to his Inspector and the letter was in fact produced by the Inspector at the Inquiry and admitted in evidence.

The Inspector intimated at its conclusion that he would be reporting his findings to his Minister. Bearing in mind prospective discussion between the Ministries of Housing and of Agriculture respectively it is not anticipated that the outcome will be known for some considerable time, possibly running into months.

I appeared on behalf of the Society, and, at their request, also represented the interests of the Penn Country Branch (Bucks) of the Council for the Preservation of Rural England.

The two critical points of the Inquiry turned on whether or not the lands in question could be held to be firstclass agricultural or potential horticultural lands on the one hand, and whether or not the proposed workings could reasonably be held to constitute a nuisance to local residents and the destruction of amenity and landscape values on the other.

Messrs. Boyer & Sons presented an extremely well marshalled case, under the leadership of Mr. Douglas Franks, a Q.C. of long experience in such cases, who called as his principal witnesses Mr. Gerland Adrian Eve (partner in a firm of Chartered Surveyors); Mr. Basil Sydney Furneaux, M.A. (Soil Survey Consultants) and Mr. Derek John Boyer (a partner in appellant's firm). Long and carefully co-ordinated proofs of evidence were read (at Counsel's leading) by each of these witnesses.

The strategy of Messrs. Boyer's case rested on:-

- i) Abandonment of their original intent to apply for the whole of the 350 acres and instead to apply for 43 acres only, as Stage I and ten years later when this was worked out to apply for the next section, working from North to South.
- ii) A denial, supported by much professional evidence, that the lands consist of "brickearth" or are fit for horticulture or even for development as first class farming lands.
- iii) Detailed undertakings to restore and drain the lands in 15 acre strips, with the assertion that it will be much better farming land in the future.
- iv) Evidence as to proof of need of large quantities of gravel for essential public works in the Western Service area (Outer London) and of imminent exhaustion of present sources of supply - ergo, in the "National interests".
- v) Minimising the buisance factor on the grounds that residents "always fear the worst"; and that the modern methods of extraction reduced the noise factor, for example, to a blending in with the general local noise level of the railway and the M/4 etc.

The Bucks County Council was ably represented by Mr. M.A. Elton, the Assistant Clerk; the Ministry of Agriculture by Mr. J.R. Lee, an Assistant Lands Commissioner and this team was supported by Mr. Jobson, the Area Planning Officer. The tenor of their arguments were:-

- i) Mr. Lee flatly contradicted Appellants' evidence as to the quality of the lands; and further maintained that no lands could be restored to as good a condition as before excavation.
- ii) Mr. Elton stoutly maintained this view and stressed that the lands had originally been purchased by Mr. Boyer for the sole purpose of gravel extraction and no money had been spent on it to develop it for horticulture like the lands immediately South of these holdings.
- iii) Mr. Elton made plain that he and his Council regarded this Appeal as "the thin end of a wedge" leading to considerable loss of amenity values.

Space in this Newsletter does not admit of justice being done to all: but it should be recorded that both Major Law and Col. Palmer spoke effectively for local residents. And particular mention must be made of Mr. D. App<sup>r</sup>, who in addition to giving time, and speaking at the hearings, recruited 28 new members for your Society from residents in Marsh Lane.

Other Societies who were heard included the Bray Preservation Society and the River Thames Society.

For the Society, after consultation with Mr. Elton, I decided to adopt and support Mr. Elton's case on the Agricultural aspects, and as to amenities and the reference to "National Interests" by Appellants, I made the following points:

- i) Questioned the reasons for failure to refer to resources of off-shore gravels moved coastwise to Thames-side installations.
- ii) Stressed that this was not an Appeal in respect of 43 acres but phase I of the plan to exploit the whole.
- iii) Repeated argument re "Public Interest" and asserted the formidable Appeal array was designed solely in the financial interests of Mr. Boyer and his firm.
- iv) Re-stated the Society's assertion that the area in question is one of considerable rural serenity: that was why Members had made their homes there; the serenity would be destroyed and the value of Members' properties depreciated were the Appeal to be allowed.
- v) That the combination of operations of drag-lines, suction plant, dumpers, elevators, graders and full and empty tipping lorries would be an abominable nuisance to local residents, even if music to the ears of a prosperous gravel firm. Mention was also made by me to the nuisance of dust from lorries returning to the site laden with London rubble for filling purposes; to the destruction of the visual scene; to the traffic risks in the difficult crossing by heavy lorries of the west-bound stream of traffic on the A4; and of the continuity of nuisance over the next 50 years or so

inherent in the plan behind the Appeal. On behalf of the Society I earnestly begged the Inspector to recommend that the Appeal be rejected.

As a concluding and general comment on the foregoing (much abbreviated) record, it is certain that the time given by several Members of the Society in attending some or all of the Hearings would have conveyed to the Inspector a sense of the seriousness with which this type of development (sic!) was viewed by us. There are, however, lessons for us to learn and notably that we must gain time, by adequate advance notice, in which to seek to create a closely coordinated team effort to match that marshalled by learned counsel. Steps to this end are in hand by the Committee.

#### SPAN DEVELOPMENTS LTD. HOUSES IN TAPLOW

It is not our intention to re-open the controversy about the style of architecture of this estate. But two matters of quite general interest and importance have been raised.

1. The Eton R.D.C. representatives at our meeting last October made reference to a Ministry circular which, they said, warned Local Authorities that they must not reject plans by qualified architects because they happen not to like them. Members may wish to read the circular (28/66 "Elevational Control"; Ministry of Housing and Local Government. June 1st 1966).

'The Minister has been considering the question of planning control of elevations, how far this contributes to the improvement of the external appearance of buildings and its effect on the quality of architectural design generally. Aesthetic control of elevations, although sometimes successful in eliminating bad design, cannot by itself promote imaginative and first-class work. Many local authorities now accept that the design of a building is the special professional responsibility of the architect, and that architectural advice should be sought when the appearance of a building is a material factor in a planning decision. The Minister believes that this is the right approach and recommends the general acceptance of this principle.

'While, therefore, the Minister expects planning authorities to continue to reject obviously poor designs, and designs ill-suited to their surroundings, he also expects them to consider very carefully before withholding consent on aesthetic grounds for buildings designed by an architect for a particular site. If they are considering doing so, he thinks they should obtain professional architectural advice and state specific objections in clear professional terms so that these can be discussed with the applicant. Where the authority does not employ a qualified architect at the appropriate level, the architectural advisory panels can, of course, be used.

'In his view this will always be a more appropriate way of dealing with objections which must otherwise be largely subjective, than simple censorship by committees which may lead to a justifiable sense of grievance. Where permission is refused primarily on aesthetic grounds the planning authority would then, in the event of an appeal, be able to show that they had taken professional advice before rejection.'

There is a widespread view that this well intentioned circular has not been interpreted as it was meant to be. We hope that the Minister will either withdraw it and issue a new one, or will take other steps to see that it is not taken to mean that no building designed by an architect should ever be rejected.

2. At our A.G.M. last October we urged that the R.D.C. should put the detailed plans of all major new developments before Parish Councils. The Civic Trust Newsletter for February 1967 (p.6) quotes the Minister of Housing and Local Government, speaking at the National Association of Parish Councils' Conference, as follows:-

'I know that for years you have been pressing the question of consultation on planning applications, and we all share the feeling that people should be able to express their views on plans for projects that are going to affect their lives.

'But this question, like others, has two sides. There is also the need for the planning control machine to work quickly and efficiently. What is the proper balance between speed of decision and breadth of consultation? The people who want to build - and between them they made nearly 450,000 planning applications last year - are constantly complaining that the planning machine is too slow and too complicated. And, of course, they are absolutely right.

'I do not think that I ought to compel planning authorities to consult with parishes. We must stick to the democratic principle of elected councils working on behalf of the people and answerable to them at the poll. The only question is what level of authority ought to be responsible for the decision? In the planning field, I think that must be counties who are big enough to employ the necessary expert advisers who have the power to delegate; and who can undertake the necessary local consultations.

'But I would like to say again that I welcome consultation between planning authorities and parish councils about planning proposals so long as it can be achieved without delaying the decision.'

It is gratifying to see that the Minister welcomes exactly what we proposed (for we are asking for Parish Councils to be consulted only in major developments, where the time element is seldom significant). Would the R.D.C. think again?

#### COMMONS REGISTRATION

Do members realise that all Common Land and rights of use of Common Land have to be registered by the end of 1969? After that date, land unregistered cannot ever be common. The procedure is well set out in a pamphlet "Common Land" which is available free from main Post Offices.

What Commons have we in Taplow and Burnham? We invite you to tell us so that we can be sure that the Local Authority does not overlook them. The Parish Councils have, we believe, records of the major ones but there is the possibility of minor omissions.

If you think you know about any common land in our area, which might be overlooked, or of any common land rights, will you please get in touch with Mrs. Ruth Ibbetson, B.A.(Arch.), Rose Hill Cottage, Rose Hill, Burnham, Bucks. (Tel. Burnham 743), who has kindly agreed to co-ordinate any local information on Common Land, so that we may be sure it is registered. And please remember that this includes "rights of common", for example rights of herbage, rights of common of piscary and of turbary, pannage, cattlogates, beastgates etc.!

#### PUBLIC INQUIRIES

On two occasions recently, the official notice of a forthcoming Public Inquiry was issued only ten days before the Inquiry. One of these was the Inquiry into the refusal by the County Council to allow Wm. Boyer to dig gravel at Barge Farm (see our report on page 1). In our view, this is a totally inadequate period of notice, and we have asked what reason there may be for the delay when in fact we know that the date had been chosen long before.

We intend to press for notices to be sent out several weeks in advance of the dates chosen for Public Inquiries. The County Council has already promised to give us longer notice in future.

#### THE TITHE BARN, HITCHAM

During the winter the years of neglect finally took their toll; a large part of the barn fell down.

Meanwhile, planning permission was applied for to convert "two barns at Hitcham Laundry" into dwelling houses. Hitcham Laundry used to stand on the site of an Elizabethan Manor House in the walled garden to the East of the Tithe Barn. It did not occur to us that the barns referred to were the Tithe Barn. We assumed that the Application referred to barns in the walled garden. However, when the Council advertised the proposed deviation from the Slough Town map (which they did in the Windsor, Slough and Eton Express' and the 'Maidenhead Advertiser' on February 17th) the development was quite clearly stated to relate to the Tithe Barn. Most unfortunately, we missed these advertisements.

The application was allowed by Eton R.D.C. and (despite our belated objection) confirmed by the Bucks County Council Planning Committee on March 13th.