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16 August 2023
By email

Ms Christine Urry
Senior Planning Officer
Buckinghamshire Council

Dear Ms Urry

Marsworth Parish Council (MPC) has been provided by Councillor Town with a copy of an email (dated 28 July 2023) in relation to parts of the former Marsworth Airfield in which the Planning Team Leader asserts that 'in all honesty the site has to be considered as previously developed land' – implying that for planning purposes it is 'brownfield'. Assuming that is the official position of Buckinghamshire Council -as opposed to the view of the current officer – it represents a substantial change that has not previously been communicated.

The purpose of this letter is therefore two-fold: first to ascertain when and by what process the council's formal position on the status of the site changed? Given the longstanding view that the site is of agricultural heritage, should be returned to agricultural use and is not strictly 'previously developed land' MPC would like to understand the formal process undertaken by the Planning Team Leader to take the view that it is now considered brownfield. What discussions have taken place and with whom and why has this view changed from previous applications where it has always been deemed agricultural? Have discussions taken place in this regard with Dacorum? Please provide that information urgently.

Secondly, MPC challenges the suggestion that the land is 'previously developed land' (i.e. 'brownfield'). MPC contends that it remains redundant agricultural land which is the effect of the determination (252761) by the Planning Inspector in relation to the 1996 application by Skimmed Milk Supplies Limited. The factual position has not changed since then and indeed all subsequent planning decisions have confirmed its agricultural status.

MPC notes that the Inspector responsible for the 1996 determination carefully avoided categorisation as either 'greenfield or brownfield'. That undoubtedly seems the right approach since it is unrealistic to contend that all sites must be brown or green – things cannot be so clear cut.

The brown or green approach simply does not work for land such as the Marsworth site. That does not present a problem in planning terms: it simply means that the developers are not entitled to rely on that status in support of the application which then falls to be considered on the basis of VALP and other relevant policies. It was unquestionably agricultural land when it was originally requisitioned, the Ministry of Defence gave a firm promise that it would be returned to agricultural use. Although that did not happen, it is impossible to point to any action or event over the past 70 years which can be categorised as 'development' – whether in planning terms or otherwise.

Agricultural land which has been requisitioned in a national emergency for military purpose but without all buildings completely removed cannot be regarded as 'previously developed' in accepted planning terminology and any such interpretation would be perverse. In particular, the wartime structures were of a prefabricated nature and only ever regarded as temporary and the fact that they have become largely abandoned where not specifically repurposed to agricultural use does not make them permanent within the definition. The events of the past 70 years are more properly characterised as neglect than development.

MPC supports its contention by reference to the definition of brownfield land as per VALP. It is:

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings.

Furthermore the NPPF states:

This excludes:.....land...where the remains of the permanent structure or fixed surface have blended into the landscape in the process of time.

MPC has numerous documents, which can be supplied, stating - by Buckinghamshire and Hertfordshire Councils and Central Government - the long held intention that the land should be returned to agricultural use.

We understand that Skimmed Milk (SMS) bought the land and used the disused buildings to house its animals- unquestionably an agricultural use. Indeed we have other letters complaining of the smell from the pig slurry on the site.

Following correspondence available

2.2.1974 – MPC objections: land unsuitable for industrial development. The access roads in the area are inadequate for the extra traffic which would inevitably have to use them... When the land was originally requisitioned, the Ministry gave a firm promise that it would be returned to agricultural use at the earliest opportunity.

14.10.1976 – Letter from Dept of the Environment re airfield land (forwarded by MP):

"Negotiations have been taking place with the Buckinghamshire County Council for the sale of this land since 1975 when the Planning Authority decided that the land must return to agricultural use. The difficulty has been that the land is virtually covered by hard standings and old corrugated iron and brick buildings and up to the present time the County Council has been unwilling to purchase unless these buildings were first removed, However the County Council are currently reconsidering the matter ...

I can confirm that nothing has occurred to alter the decision that the land should be returned to agriculture and that it is my Department's aim to complete the sale as soon as it can be arranged.

10.10.1978 – Reply from AVDC, saying "... this authority, along with BCC, have always expressed the view that the airfield land should wherever possible be returned to agricultural use."

23.10.1978 – Letter from Dacorum Technical Services Dept. with copy of their letter to Property Services Agency, Oxford: "... The Council does not agree to the development of the area for light industrial use.... The Council would not look favourably upon any alternative use to agriculture unless it could be shown not to prejudice the open character of the area."

24.10.1978 – Letter from BCC: "... when this Council were negotiating to buy land on the Buckinghamshire side it was very much with the intention of removing most of the buildings and returning the land to agriculture, to protect what could become a vulnerable area."

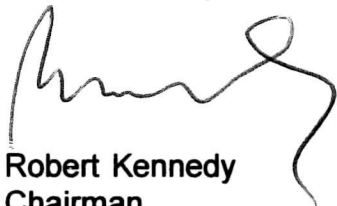
1.11.1978 – Letter from AVDC: "...The Dacorum District Council ... like Aylesbury Vale, wish to see the airfield returned to agricultural use, and that they are opposed to light industrial development on the airfield as it is likely to detract from the open character of the area ..."

May-June 1983 – Letters re 'disgusting pig smell at **SMS Farms**, Marsworth Airfield.

29.07.96 Sec of State for the Environment –" include the re-use of a redundant, rather a greenfield site ...

We have already submitted formal objections drawing attention to the unsustainable nature of the proposed development and its incompatibility with the VALP. Those alone should be sufficient grounds for rejection. However, MPC notes that Ainscough seek, by arguing that the site has brownfield status, to create a presumption in favour of planning permission. For the reasons stated, we think the contention is fallacious and that there can be no justification for any change of stance on the part of Buckinghamshire council.

Yours sincerely



Robert Kennedy
Chairman