

King George V House, King George V Road,
Amersham, Buckinghamshire, HP6 5AW

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CHILTERN
District Council



Planning Committee

Thursday, 14th February, 2019 at 6.00 pm

Council Chamber, King George V House, King George V Road, Amersham

A G E N D A

- 1 Evacuation Procedure
- 2 Apologies for Absence
- 3 Minutes
To approve the minutes of the Planning Committee held on 17 January 2019.
- 4 Declarations of Interest
- 5 Items for Noting
 - 5.1 New Planning and Enforcement Appeals
 - 5.2 Appeal Decisions
 - 5.3 Permission/Prior Approval Not Needed
 - 5.4 Consent Not Needed
 - 5.5 Withdrawn Applications
 - 5.6 Information Regarding Planning Applications to be Determined
- 6 Reports on Local Authority List of Applications

Amersham

PL/18/4593/RC

Recommendation: Resolve to recommend Council to approve own development

Site Of Chiltern Pools, Drake Hall, Community Centre, Amersham Library and

Associated Car Parks and Part Of King George V Playing Fields, Chiltern Avenue and King George V Road, Amersham, Buckinghamshire, HP6 5AH

7 Report on Main List of Applications

Chesham

PL/18/3887/FA Ward: Hilltop And Townsend Page No: 3

Recommendation: Conditional Permission

75 Lye Green Road, Chesham, Buckinghamshire, HP5 3NB

Chesham

PL/18/3904/VRC Ward: Asheridge Vale And Page No: 13
Lowndes

Recommendation: Conditional Permission

Land at 206 - 208 Chartridge Lane, Chesham, Buckinghamshire,

Chesham

PL/18/4372/VRC Ward: Asheridge Vale And Page No: 20
Lowndes

Recommendation: Conditional Permission

Land at 206 - 208 Chartridge Lane, Chesham, Buckinghamshire,

Penn

PL/18/4331/FA Ward: Penn And Coleshill Page No: 26

Recommendation: Defer-minded to approve subject to the prior completion of Legal Agreement. Decision delegated to Head of Planning & Economic Development

Woodchester, Woodchester Park, Knotty Green, Buckinghamshire,

Penn

PL/18/4461/FA

Ward: Penn And Coleshill

Page No: 36

Recommendation: Conditional Permission

Little Coppice, Church Road, Penn, High Wycombe, Buckinghamshire, HP10 8NX

Great Missenden

PL/18/4680/FA

Ward: Great Missenden

Page No: 41

Recommendation: Conditional Permission

Ladymede, Grimms Hill, Great Missenden, Buckinghamshire, HP16 9BG

8 Exclusion of the Public (if required)

To resolve that under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item(s) of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Act.

Date of next meeting – Thursday, 21 March 2019

Note: All Reports will be updated orally at the meeting if appropriate and may be supplemented by additional reports at the Chairman's discretion.

Membership: Planning Committee

Councillors: D Phillips (Chairman)
M Titterington (Vice-Chairman)
J Burton
J Gladwin
M Harrold
C Jones
P Jones
J MacBean
S Patel
N Rose
J Rush
J Waters
C Wertheim

If you have any queries concerning public speaking at Planning Committee meetings, including registering your intention to speak, please ask for the Planning Committee Co-ordinator 01494 732950; planning@chiltern.gov.uk. Further information is also available from: www.chiltern.gov.uk/planning/committee

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CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the PLANNING COMMITTEE held on 17 JANUARY 2019

PRESENT: Councillor D Phillips - Chairman
" M Titterington - Vice Chairman

Councillors: J Burton
J Gladwin
P Jones
J MacBean
N Rose
J Rush
J Waters
C Wertheim

APOLOGIES FOR ABSENCE were received from Councillors M Harrold, C Jones and S Patel

ALSO IN ATTENDANCE: Councillor L Smith

43 MINUTES

The Minutes of the meeting of the Planning Committee held on 20 December 2018, copies of which had been previously circulated, were approved by the Committee and signed by the Chairman as a correct record.

44 DECLARATIONS OF INTEREST

There were no declarations of interest.

45 ITEMS FOR NOTING

RESOLVED -

That the reports be noted.

46 REPORT ON MAIN LIST OF APPLICATIONS

RESOLVED -

- 1. That the planning applications be determined in the manner indicated below.**

2. **That the Head of Planning and Economic Development be authorised to include in the decision notices such Planning Conditions and reasons for approval, or reasons for refusal as appropriate, bearing in mind the recommendations in the officer's report and the Committee discussion.**

APPLICATIONS

PL/18/3029/FA 36 Church Street, Great Missenden, Buckinghamshire, HP16 0AZ

The meeting was advised that a revised scheme regarding the fenestration alterations had been received and the officers' recommendation was to give conditional permission.

Speaking as the applicant, Ms S Ginn

RESOLVED

Conditional Permission

PL/18/3538/FA 3 Mark Drive, Chalfont St Peter, Gerrards Cross, Buckinghamshire, SL9 0PP

It was advised at the meeting that Condition 3 should read "no windows, roof lights or dormers ... shall be inserted". Condition 4 should read that the extension should not be occupied until the drive and widened access has been laid out.

Speaking for the Parish Council, Councillor T Shinner

Speaking for the objectors, Mr P Aylett

Speaking as the applicant, Mr Mailey

Speaking as local district Member, Councillor Linda Smith

RESOLVED

Conditional Permission with modifications to conditions 3 and 4 and an additional Informative relating to landfill.

Note 1: Councillor Linda Smith left the meeting at 6.44 pm

PL/18/3563/FA Stable Farm, Amersham Road, Chalfont St Peter,
Buckinghamshire, SL9 0PX

It was advised at the meeting that condition 3 in the report should read "a scheme of landscaping should be received and approved prior to occupation".

Speaking for the applicant, Mr M Evans

RESOLVED

Defer for clarification of flood risk and to allow Officers to negotiate with the applicant regarding the design and appearance of the dwellings. Members had no objection to the principle of the scheme, but raised concerns regarding the appearance of the new buildings. Application to return to a future Planning Committee meeting.

PL/18/3577/FA Stable Farm, Amersham Road, Chalfont St Peter,
Buckinghamshire, SL9 0PX

Speaking for the applicant, Mr M Evans

RESOLVED

Defer for clarification of flood risk and to allow Officers to negotiate with the applicant regarding the design and appearance of the dwellings. Members had no objection to the principle of the scheme, but raised concerns regarding the appearance of the new buildings. Application to return to a future Planning Committee meeting.

Note 2: Councillor N Rose entered the meeting at 7.16 pm

PL/18/4084/FA 51 Highfield Close, Amersham, Buckinghamshire, HP6
6HQ

Speaking for the objectors, Mr N Parsloe

RESOLVED

Conditional Permission with a letter expressing concerns about the proposed design of the rear dormer window.

CH/2017/0747/FA

Land adjacent to Jewsons, Chesham Road, Hyde End, Buckinghamshire

The Committee had received a letter and photographs from the speaker prior to the meeting.

Speaking for the objectors, Ms K Kay

RESOLVED

Permission Refused for reason similar to the previous enforcement action on the site in terms of inappropriate development in the green belt and detrimental effect on the openness of the Green Belt and the character of the Chilterns AONB. Further the use is detrimental to the residential amenity of the nearby residential properties. Exact wording delegated to the Head of Planning and Economic Development.

CH/2017/1228/AV

Land adjacent to Jewsons, Chesham Road, Hyde End, Buckinghamshire

Speaking Ms K Kay

RESOLVED

Permission Refused having regard to the sensitive location of the site within the Green Belt and AONB, the signage by reason of height, size and scale detrimental to the amenity of the locality. Precise reason delegated to Head of Planning and Economic Development

CH/2017/1233/FA Land adjacent to Jewsons, Chesham Road, Hyde End,
Buckinghamshire

Speaking for the objectors, Ms K Kay

RESOLVED

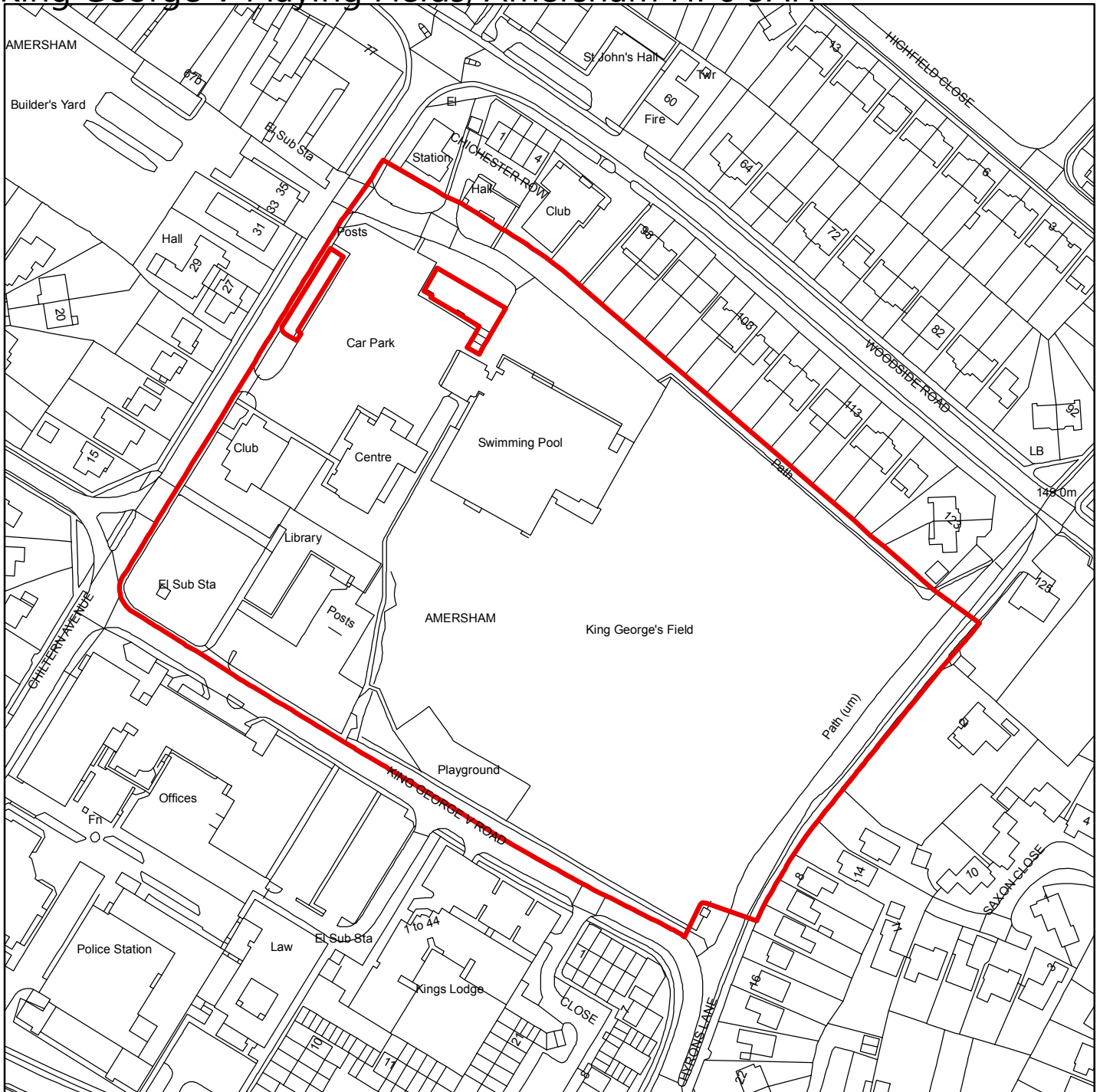
Permission Refused for the reasons set out in the
Recommendation.

The meeting ended at 8.50 pm



PL/18/4593/RC

Site Of Chiltern Pools, Drake Hall, Community Centre, Amersham Library and Associated Car Parks and Part Of King George V Playing Fields, Amersham HP6 5AH



Scale: 1:2,000

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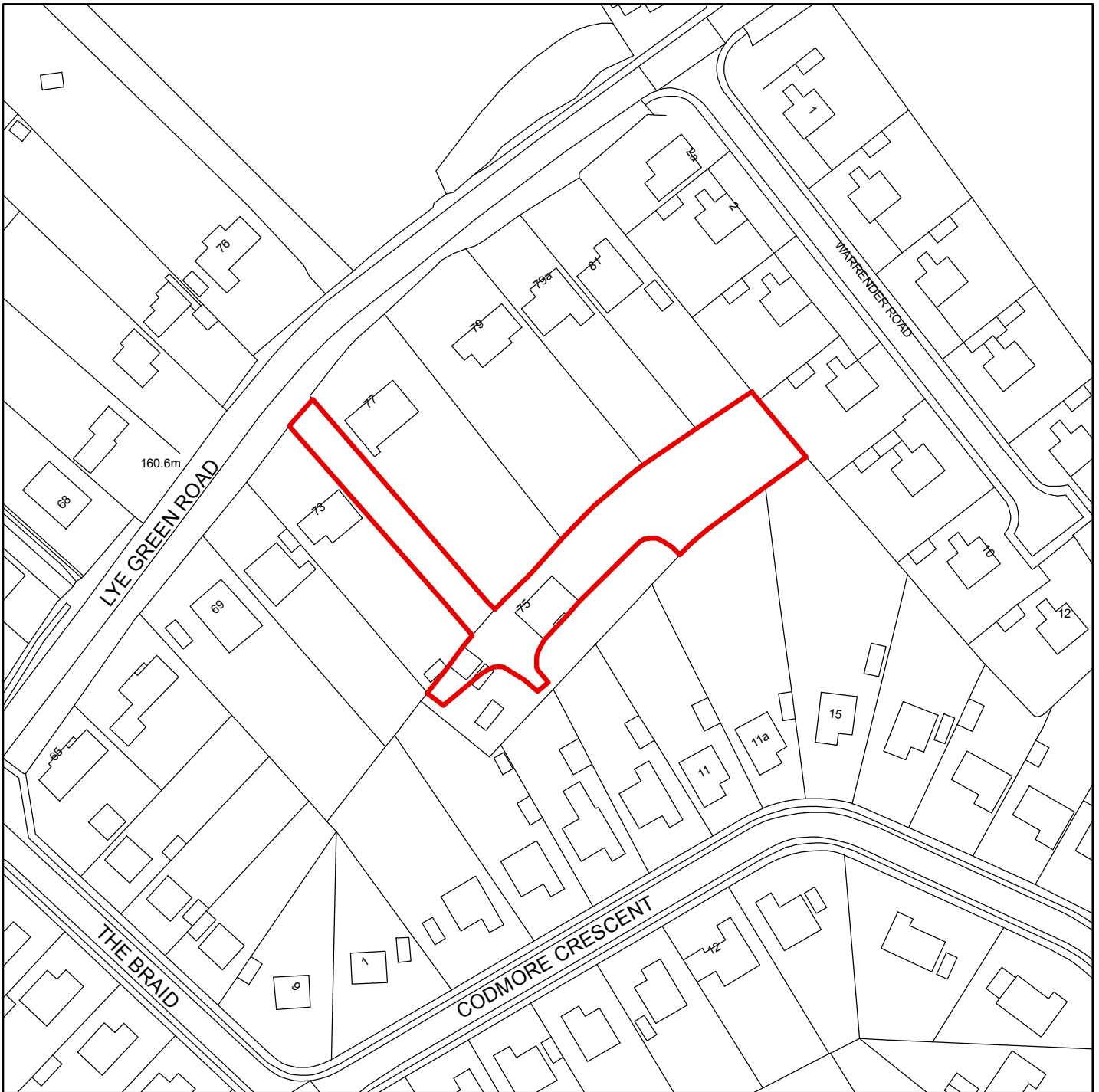
Organisation	Chiltern District Council
Department	Planning & Environment
Comments	
Date	
SLA Number	100033578.2016

PL/18/3887/FA



CHILTERN
District Council

75 Lye Green Road, Chesham, Buckinghamshire HP5 3NB



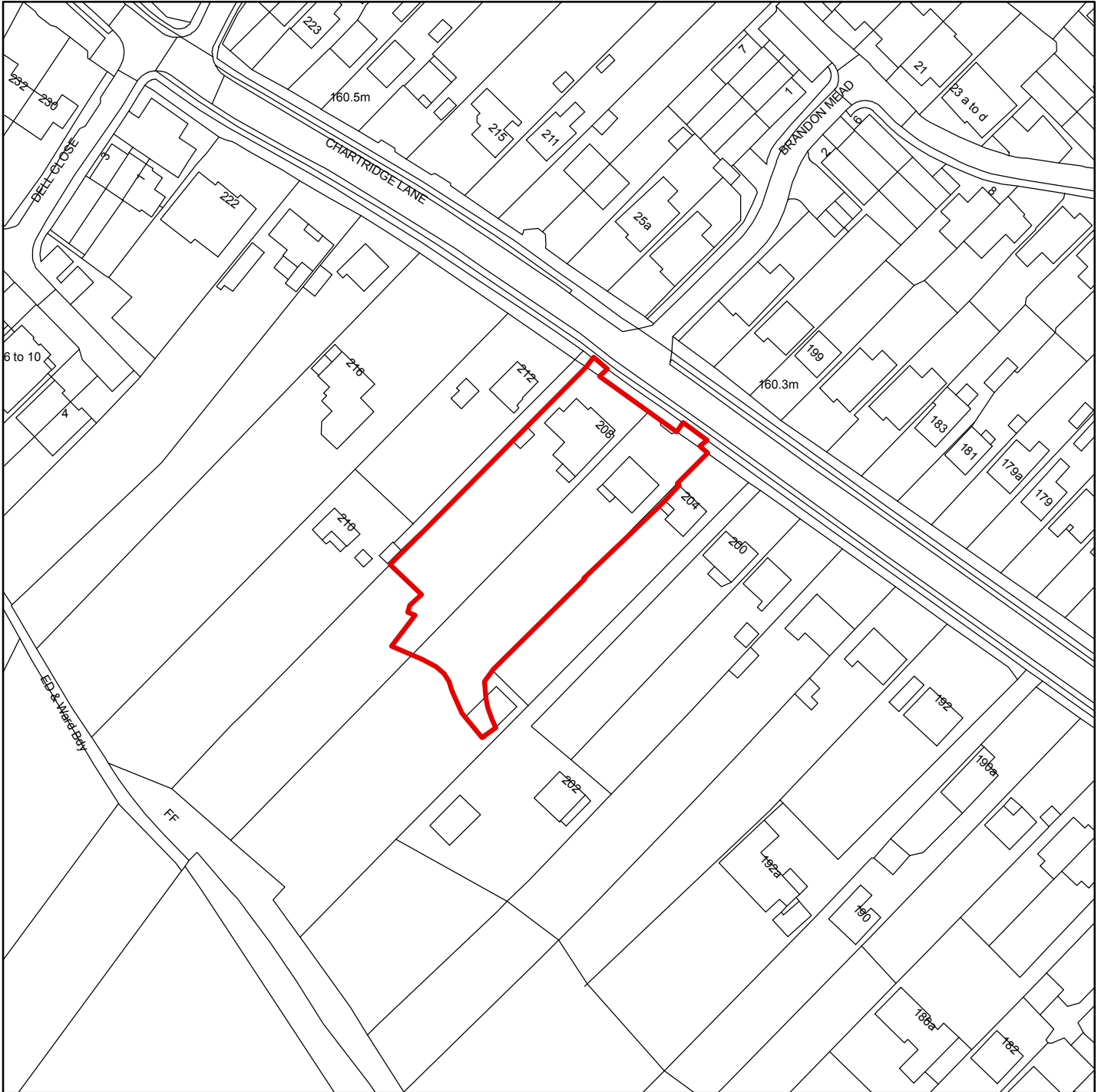
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Department	Planning & Environment
Comments	
Date	
SLA Number	100033578.2016



Land at 206-208 Chartridge Lane, Chesham, Buckinghamshire



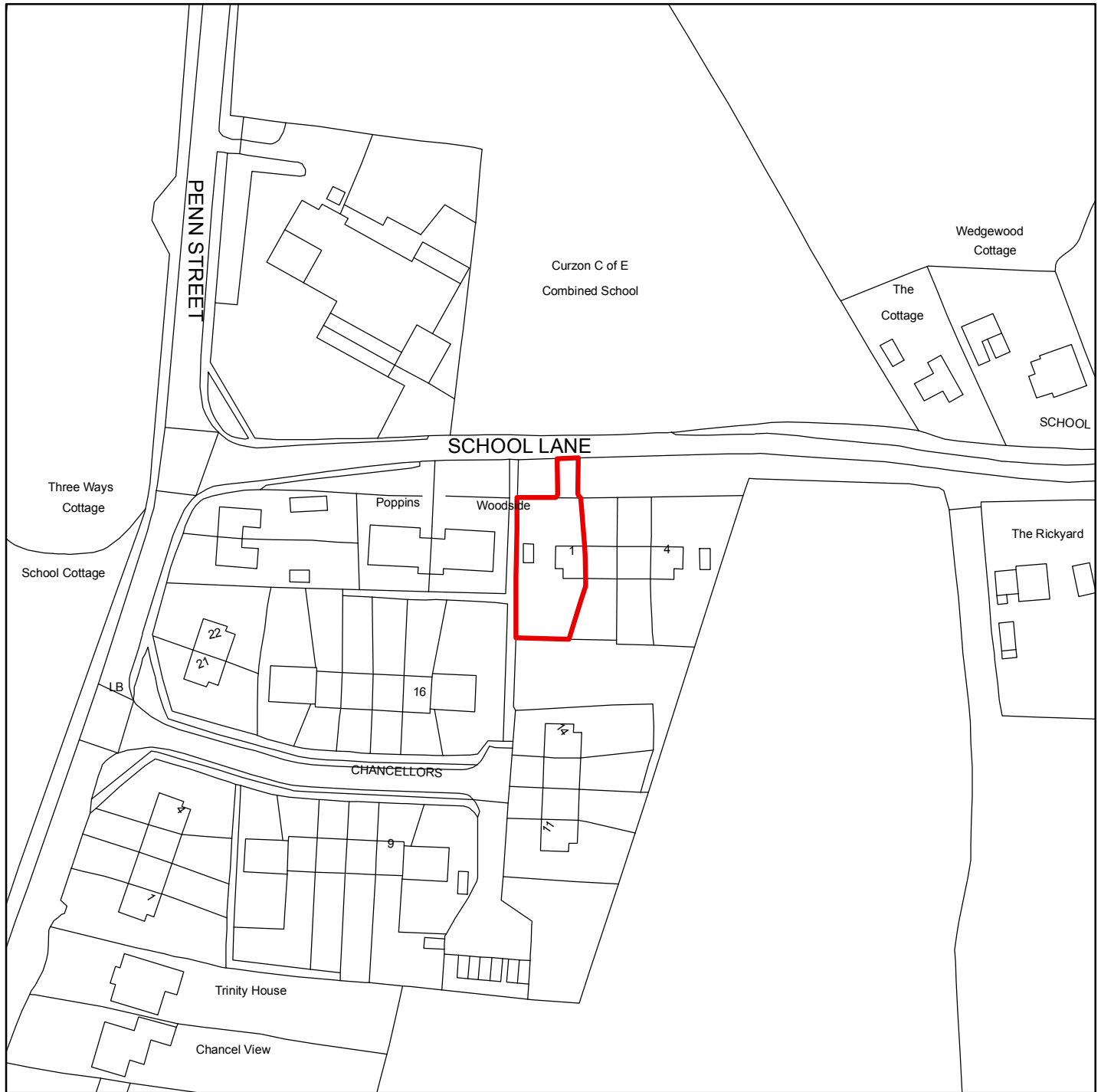
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SLA Number	100033578.2016



1 School Lane, Penn Street, Buckinghamshire HP7 0QJ



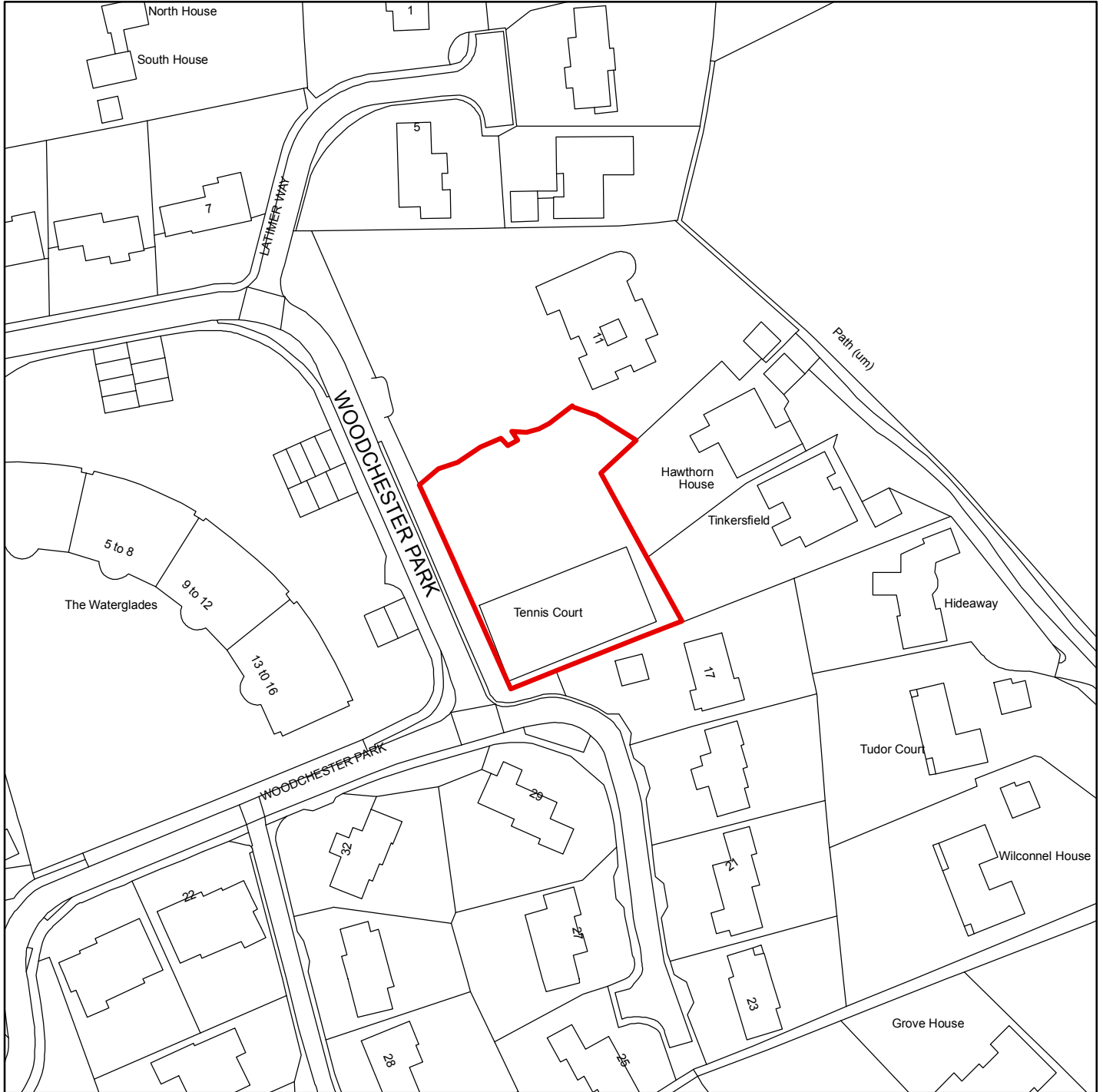
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Woodchester, Woodchester Park, Knotty Green, Buckinghamshire



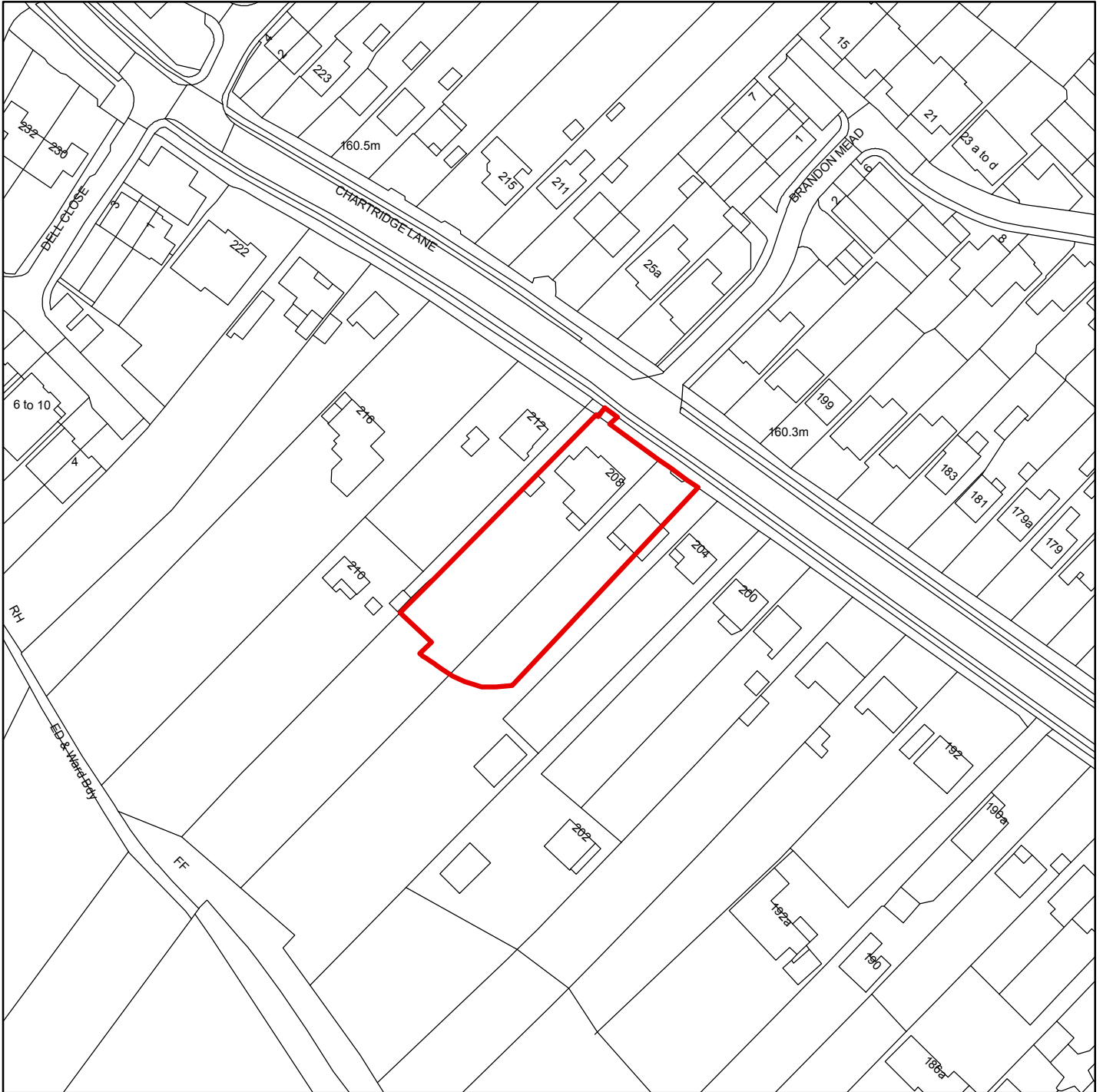
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Land at 206 - 208 Chartridge Lane, Chesham, Buckinghamshire



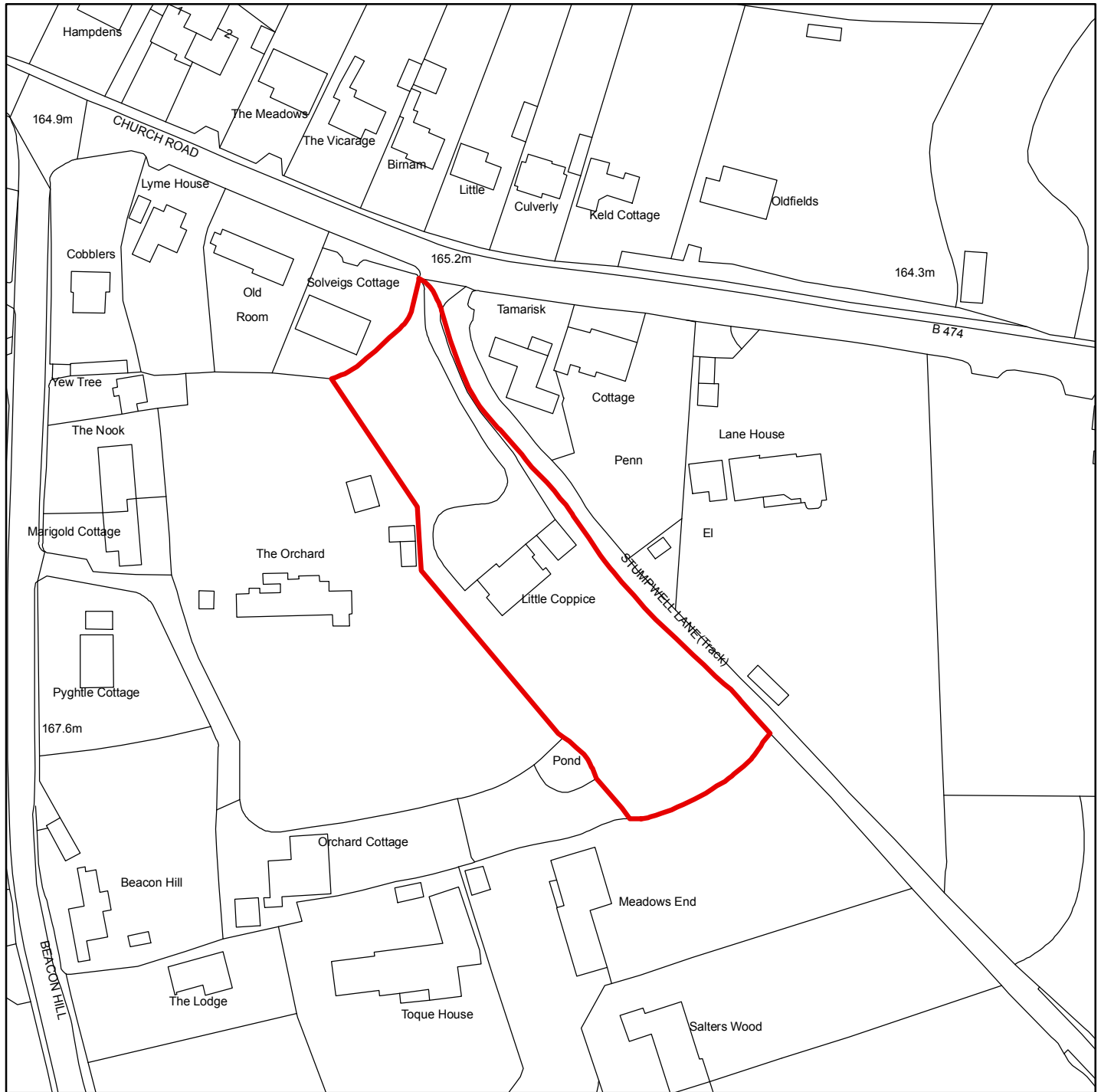
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Little Coppice, Church Road, Penn, Buckinghamshire HP10 8NX



Scale: 1:1,250

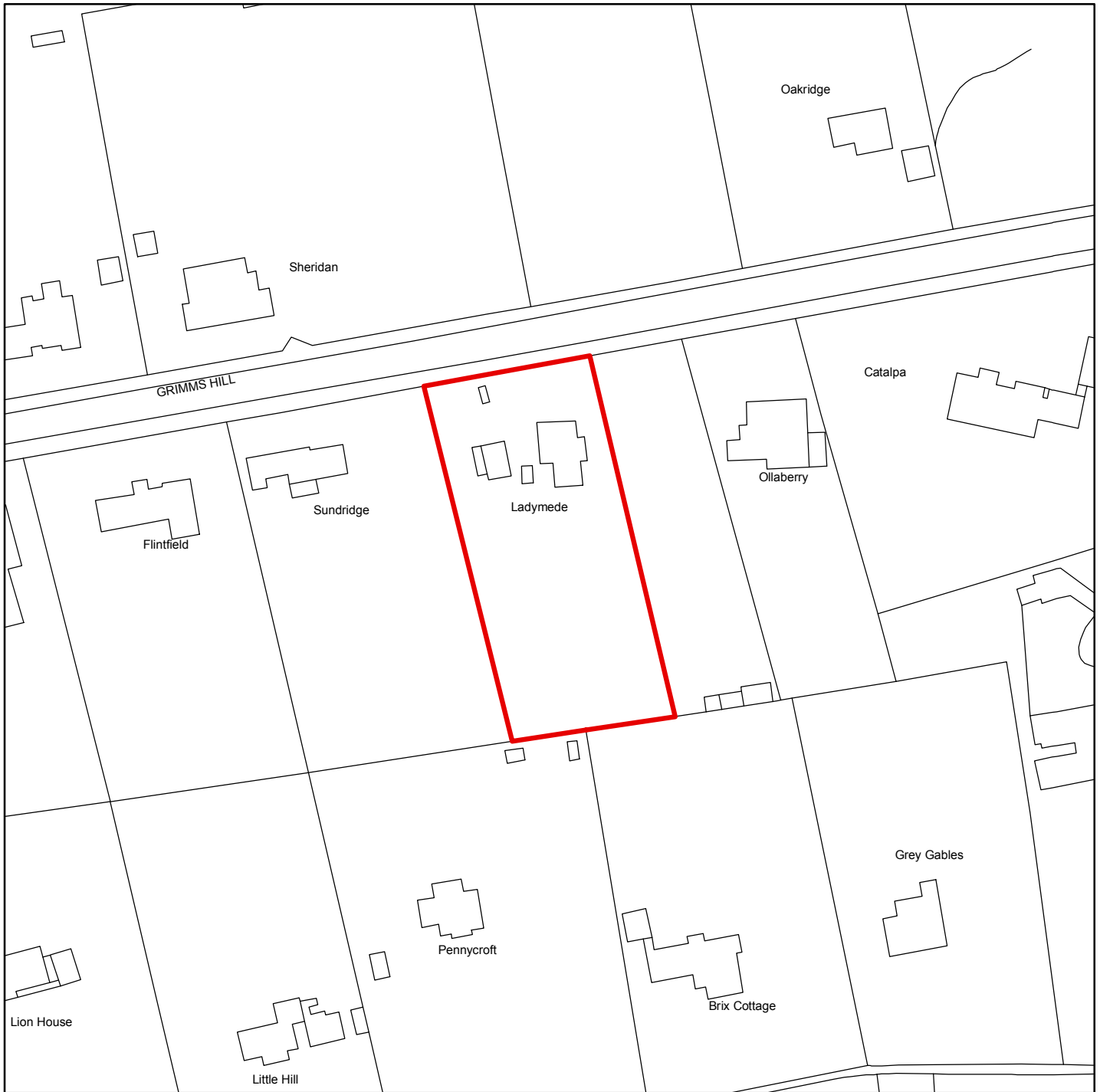
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PL/18/4680/FA

Ladymede, Grimms Hill, Great Missenden, Buckinghamshire
HP16 9BG



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PLANNING COMMITTEE – 14 February 2019

REPORT OF THE OFFICERS

Background papers, if any, will be specified at the end of each item.

AGENDA ITEM No. 5

5 ITEMS FOR NOTING

5.1 NEW PLANNING AND ENFORCEMENT APPEALS

CH/2017/1958/FA - Erection of 6 retractable floodlight columns (2.8m rising to 15m) and lamps to light a football pitch plus associated control cabinet, Penn and Tylers Green Football Club, Elm Road, **Penn**

CH/2018/0480/FA - Demolition of existing dwelling and erection of a detached building comprising 9 flats, with accommodation in the roof space, basement parking with vehicular access ramp, the erection of a bin store, and associated landscaping, Newbury House, 2 Knottocks Drive, **Knotty Green**

CH/2018/0679/FA - Agricultural building (Unit 2) part retrospective involving alterations and retention of part of building the subject of enforcement notice 2015/00016/AB/EN/1, Whitethorns Farm, Ashley Green Road, **Chesham**

CH/2018/0714/FA – Erection of new dwellinghouse with integral garage, Land Adjacent (to North of) Idaho Cottage, 36 Wycombe Road, **Prestwood**

CH/2018/2421/FA – Energy storage facility to provide energy balancing services to the National Grid, Land adjacent to Electricity Transform Station, Lycrome Road, **Chesham**

PL/18/3276/FA – First floor side extension, 4 The Farthings, **Chesham Bois**

5.2 APPEAL DECISIONS

CH/2017/2194/SA - Application for a Certificate of Lawfulness for a proposed operation relating to the erection of loft dormer windows, rooflights in main roof, and new side facing window to first floor, 34 Bellingdon Road, **Chesham**

Officer Recommendation: Part approve/refuse

Appeal Decision: Split Decision (08.01.2019)

PL/18/2048/FA - Demolition of existing conservatory and single storey rear extension, 3 Woodside Avenue, **Chesham Bois**

Officer Recommendation: Refuse Permission

Appeal Decision: Appeal Allowed (10.01.2019)

5.3 PERMISSION/PRIOR APPROVAL NOT NEEDED

PL/18/4456/PNL - Prior Notification under Class PA of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 - Change of Use

from light industrial (Use Class B1(c)) to three residential units (Use Class C3), Alpine Caterers, 30-32 Higham Road, **Chesham**

PL/18/4608/FA - Part infill to front to create habitable space, 22 Church Street, **Amersham**

5.4 **CONSENT NOT NEEDED**

PL/18/4118/KA - Work to trees in accordance with a submitted schedule, all trees within a Conservation Area, Magnolia Cottage, 92 Bois Lane and Dawn Cottage, 94 Bois Lane, **Chesham Bois**

5.5 **WITHDRAWN APPLICATIONS**

PL/18/4139/FA - Demolition of an existing outbuilding and construction of a residential annexe ancillary to the use of the main house, Cherrygarth, 41 Gurnells Road, **Seer Green**

PL/18/4410/SA - Application for a Certificate of Lawfulness for proposed: Garage and loft conversion with an L-shaped dormer, 6A Lexham Gardens, **Amersham**

PL/18/4447/FA - Extension of detached garage to provide Gym, 5 Castell Grove, **Chesham Bois**

PL/18/4869/TP - Felling of two sycamore trees protected by a Tree Preservation Order, 7 Grange Road, **Chalfont St Peter**

5.6 **INFORMATION REGARDING PLANNING APPLICATIONS TO BE DETERMINED**

Appended for your consideration are lists of applications submitted under the Town and Country Planning Act, 1990, and the Planning [Listed Buildings and Conservation Areas] Act, 1990, together with a recommendation from the Head of Planning Services. The forms, plans, supporting documents and letters of representation relating to each application are available for inspection on Public Access on the Councils Website.

Background papers for each of these planning applications, unless otherwise stated, are the application form and related letters, statements and drawings, notices, papers, consultations, and any written representations and comments received.

Reports may be updated at the meeting if appropriate, for example, where responses from consultees or further letters of representation are received.

6 REPORTS ON LOCAL AUTHORITY LIST OF APPLICATIONS

AGENDA ITEM No. 6

7 REPORTS ON MAIN LIST OF APPLICATIONS

AGENDA ITEM No. 7

8 EXCLUSION OF THE PUBLIC

AGENDA ITEM No. 8

That under Section 100(A)(4) of the Local Government Act 1972 (as amended) the public be excluded from the meeting of the following item(s) of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act

Classification: OFFICIAL

CHILTERN DISTRICT COUNCIL

PLANNING COMMITTEE – 14th February 2019

INDEX TO APPLICATIONS ON LOCAL AUTHORITY LIST OF REPORT

Amersham

PL/18/4593/RC

Ward: Amersham On The Hill

Page No: 2

Proposal: Demolition of existing buildings known as Chiltern Pools, Drake Hall, Chiltern Youth Centre and Amersham Library (excl. Annex and Barn Hall) and construction of a replacement two-storey (plus part-lower ground floor) leisure, sports and community building (Use Classes D1 and D2), including 25m swimming pool, diving pool, multipurpose sports hall, squash courts, climbing walls, spa, library, community hall, fitness and gym studios, nursery and dedicated external sports equipment including MUGA and play areas alongside associated external car parking, coach drop off, cycling provision, alterations to vehicular access and landscaping.

Recommendation: Resolve to recommend Council to approve own development

Site Of Chiltern Pools, Drake Hall, Community Centre, Amersham Library and Associated Car Parks and Part Of King George V Playing Fields, Chiltern Avenue and King George V Road, Amersham, Buckinghamshire, HP6 5AH

Classification: OFFICIAL

REPORT OF THE HEAD OF PLANNING & ECONOMIC DEVELOPMENT

Local Authority List of Applications 14th February 2019

PL/18/4593/RC

Case Officer: Gary Murphy
Date Received: 04.12.2018
Parish: Amersham
App Type: Regulation 3 - District Councils own dev
Proposal: Demolition of existing buildings known as Chiltern Pools, Drake Hall, Chiltern Youth Centre and Amersham Library (excl. Annex and Barn Hall) and construction of a replacement two-storey (plus part-lower ground floor) leisure, sports and community building (Use Classes D1 and D2), including 25m swimming pool, diving pool, multipurpose sports hall, squash courts, climbing walls, spa, library, community hall, fitness and gym studios, nursery and dedicated external sports equipment including MUGA and play areas alongside associated external car parking, coach drop off, cycling provision, alterations to vehicular access and landscaping.
Location: Site Of Chiltern Pools, Drake Hall, Community Centre, Amersham Library and Associated Car Parks and Part Of King George V Playing Fields
Chiltern Avenue and King George V Road
Amersham
Buckinghamshire
HP6 5AH
Applicant: Chiltern District Council

Decide by Date: 06.03.2019
Ward: Amersham On The Hill

SITE CONSTRAINTS

Article 4 Direction
Adjacent Conservation Areas
Adjacent to Unclassified Road
Adjacent Public Footpaths and Public Rights Of Way
Community Assets/ CDC Owned Land
North South Line
Public footpath/bridleway
Within 500m of Site of Importance for Nature Conservation NC1
Tree Preservation Order Individual Trees
Townscape Character
Thames Groundwater Protection Zone GC9
Adjoining Public Amenity Open Space
Public Amenity Open Space

CALL IN

No Member call in received. Referred to Planning Committee as the proposal is on the Council's own land and the Council is the applicant.

It is a Major Application.

SITE LOCATION

The site area is 4.14 hectares and comprises a collection of existing buildings in D1/D2 use, namely Chiltern Pools, Drake Hall, Chiltern Youth Centre and Amersham Library. Immediately to the south of these buildings is an area of public open space, known as King George V Field, this is designated as open space in the Adopted Chiltern District Local Plan, together with a smaller area of public open space in the south-western corner of the site. There are a number of established trees located across the site, as well as children's play area, playground, outdoor multi-use games area (MUGA), outdoor gym, skate park, petanque courts, electricity sub-station and associated parking areas providing for 233 parking spaces. There are two existing vehicular site access points from Chiltern Avenue, and one from King George V Road.

For the avoidance of doubt the two locally listed buildings known as the Annexe and Barn Hall fall outside of the application site boundary and as such are not subject to any change as part of this application.

The site is located on the edge of Amersham-on-the-Hill shopping centre immediately adjacent to the Council Offices which are located on the opposite side of King George V Road with the Law Courts and Police Station. Further south of these, are the existing multi-storey car park and Amersham rail station. To the north of the site is an ambulance station. To the north-east, south-east, south-west and north-west are existing residential properties situated on Woodside Road, Hyrons Lane, King George V Road and Chiltern Avenue. Amersham-on-the-Hill shopping centre is approximately 400m north-west of the site. On the opposite side of King George V Road, south of the site are Chiltern District Council offices. The existing built form in the surrounding area displays a mix of different building types with two-storey residential and other non-residential buildings of three and four storeys.

No buildings within the site are statutory listed, and the site is not within a Conservation Area.

The site has good public transport accessibility due to its close proximity to Amersham on the Hill town centre, Amersham railway station and is well served by bus routes.

THE APPLICATION

The proposal involves the demolition of existing buildings known as Chiltern Pools, Drake Hall, Chiltern Youth Centre and Amersham Library (excl. Annex and Barn Hall) and the construction of a replacement two-storey (plus part-lower ground floor) leisure, sports and community building (Use Classes D1 and D2).

The four existing buildings on site being proposed for demolition total 4,570sqm, the largest of these being Chiltern Pools building which is 3050sqm.

In place of the demolished buildings it is proposed to provide a replacement two-storey (plus part lower ground floor) multi use leisure, sports and community building, incorporating 25m swimming pool, diving pool, multipurpose sports hall, squash courts, climbing walls, spa, library, community hall, fitness and gym studios, nursery and dedicated external sports equipment including MUGA and play areas alongside associated external car parking, coach drop off, cycling provision, alterations to vehicular access and landscaping.

The replacement building will be concentrated to the southern part of the site. This intentionally allows for the temporary retention of the existing Chiltern Pools, Drake Hall and Chiltern Youth Centre buildings during construction. Only the existing library building would not be retained during construction; this service may be relocated to Chiltern District Council (CDC) offices on an interim basis.

The table below illustrates what the proposed building will include by way of replacement facilities and new and enhanced facilities:

Existing On-Site Facilities	Proposed On-Site Facilities (approx. GIA)
<i>Internal Sports Facilities</i>	<i>Internal Sports Facilities</i>
25m x 6 lane swimming pool (150 spectator seats)	25m x 8 lane swimming pool (150 spectator seating) (2105sqm)
Teaching pool	Diving / learner pool (with movable floor)
Fun / splash pool	Splash children's pool
Gym (75 fitness stations)	Gym (875sqm) (160 fitness stations)
2 studios (Group exercise and Group cycle)	3 studios (535sqm) (Spin, yoga, dance)
Climbing wall	Climbing centre (incl. wall)
	Multi-sports hall (880sqm)
	Dry Dive facility (80sqm)
	2 x squash courts (180 sqm)
	Clip and climb / soft play facility (520sqm)
<i>External Sports Facilities</i>	<i>External Sports Facilities</i>
MUGA pitch	MUGA pitch (250sqm)
3 x Petanque pitches	3 x Petanque pitches (165sqm)
Skate Park	Skate Park (675sqm)
Children's play spaces	Children's play spaces (1075sqm)
Table Tennis	Table tennis
Outdoor gym	Outdoor gym (190sqm)
Street Snooker	Street Snooker (130 sqm)
Five-a-side Pitch	Replacement provision provided within new internal sports hall
<i>Community Facilities</i>	<i>Community Facilities</i>
Library	Library (300sqm)
Community Centre and Theatre	Community Centre and Theatre (600sqm) with 150-200 capacity
Youth Centre	Youth Centre (410sqm)
Nursery (facility for up to 32 children)	Nursery – 50 children (410sqm)
	Spa and Treatment Rooms (475sqm)
	Soft play space (520sqm)
	Cafe

The following elements would also be provided for:

- 221 replacement car parking spaces (incl. 12 accessible spaces, x 1 DDA electric charging point and x 10 standard electric charging points);
- 50 cycle parking spaces;
- 8 motorbike spaces and x 1 mini-bus parking bay
- Designated vehicle drop-off / pick up lay-by on site;

- Designated coach drop-off / pick up area;
- Refuse, servicing and delivery area;
- New landscaping and tree planting;
- Ecological enhancements;
- Water attenuation measures for improved surface water management and mitigation

The central street running through the building is considered to be a fundamental design element of the proposal and this is intended to support the use of the building as a 'co-location' space and encourage social interaction. The central street will be a fully enclosed double storey height space, with natural light, running the length of the building connecting front and back.

The new 8-lane swimming pool (which is supported by Sport England and Amersham Swimming Club) with spectator seating will provide additional lanes (8 in total), along with a new dedicated diving/training pool, splash pad and separate children's splash pool. This will be complemented by a dedicated dry dive facility elsewhere in the building. During times the diving pool is not in use it can double up as dedicated teaching pool. The pool areas are served by a changing village on the north eastern side of the ground floor.

Also at ground floor level the children's soft play area has been located next to the café, clip and climb area and the library. The community hall is adjacent to this, situated at the front of the building. At the rear of the ground floor is the spa facility.

The replacement community hall, with its own kitchen and meeting rooms has been intentionally located towards the front of the building, with a separate entrance lobby. This separate entrance is intended to provide greater flexibility of use, ensuring any evening performances can be undertaken without compromising security for the wider building. Locating this here also provides a more active frontage onto King George V Road and Chiltern Avenue.

At lower ground floor the multi-use sports hall represents a significant enhancement to the existing on-site facilities. Comprising four separate courts it will allow for a wide range of sports to be played throughout the year, such as badminton, basketball, netball, indoor football and gymnastics. The dry dive area, squash courts (x2) and climbing area are also at this level.

The new fitness suite and studios at first floor level will represent a much enhanced facility compared to the existing provision. A new, replacement nursery will be provided at first floor, served by two separate lifts for level access. This will be served by a dedicated covered outdoor play space, also at first floor level. The nursery will have capacity for up to 50 children.

Vehicle access will be retained via two accesses off Chiltern Avenue. The existing access on King George V Road will be closed, and reinstated as a footway.

Pedestrian access into the building will be via the main entrance, from Chiltern Avenue. An access is also proposed along King George V Road, which will allow access into the building where the soft play and spa facility are situated. This point of access will relate well internally to the main leisure reception area/desk.

Externally, and surrounding the building on the south eastern side, will be older children's play area, outdoor gym, street snooker, table tennis tables (x2) and skate park. Along the north western side will be petanque courts (x3), and MUGA. A dedicated junior play area is proposed to the front of the building.

Phasing details for the construction have been provided, these however are not final. The applicant has indicated that the final phasing programme would be the subject of a Construction Management Plan condition.

The proposed phasing programme is split into five phases and this allows for the existing leisure centre and pool building to remain open throughout construction, likewise the existing community centre, nursery and youth club buildings can remain in operation until the new centre is provided.

A Planning Statement and Design and Access Statement have been submitted to accompany the application and additional information provided in the form of technical reports and assessments.

Community engagement and public consultation:

Due regard has been had to the Localism Act 2011, the NPPF, as well as the Council's Statement of Community Involvement (SCI). The Council (as applicant) undertook public consultation over a two year period, between 2016 and 2018. The nature of this consultation is set out in detail in the submitted, Statement of Community Involvement (SCI). In summary the consultation undertaken included the following:-

- Nov/Dec, 2016 - public consultation exercise inviting local residents to give their views on providing a new multi-use replacement facility. Results obtained from over 2000 responses indicated overwhelming support, with 80% agreeing (or strongly agreeing) with the proposed development.
- Sept, 2017 - public consultation undertaken with regards to land ownership swap between the District Council and Amersham Town Council.
- Aug - Oct, 2018 - further public consultation, seeking the views of local residents and Chiltern Pools (and surrounding community facilities) users about the proposed redevelopment. Detailed plans of the proposal were presented via four separate public exhibitions.

It is submitted as part of the SCI that feedback comments received have been taken into account in the design of the development, with consideration also given to the constraints of the site. Local residents and stakeholders were also notified of the opportunity to formally comment following submission of the planning application in December 2018.

In addition to the above there has been a dedicated website since 2016, providing information and updates on the project. A number of surveys have been undertaken to allow qualitative data collection and meetings with a range of different stakeholders have taken place as part of the process.

Further information submitted in response to consultee comments:

Following the initial review of the application and the receipt of some consultation responses, further information was provided by the applicant. The following matters were clarified:

- Updated Arboricultural Report, Arboricultural Impact Assessment and tree survey plans, in response to Tree Officer comments;
- Highway Technical note submitted, dated 18 Jan 2019, in response to interim Bucks CC Highway comments;
- Policy/consultation response note provided by planning agent, dated 18 Jan 2019;
- Revised indicative landscaping details provided, with indicative treatment for building frontage along King George V Road, and Chiltern Avenue, and pedestrian route to the north of the building;
- Sustainable Drainage System (SuDS) strategy revised following feedback from SuDS officer. Updated SuDS response (31.01.19) confirming no objection, subject to conditions.

RELEVANT PLANNING HISTORY

CH/2009/0154/FA: Insertion of two ground floor and two first floor windows within north west elevation of existing building. Conditional Permission.

CH/2007/2009/FA: Extension of existing entrance ramp on north east elevation. Conditional Permission.

CH/2006/0621/RC: Car park extension. Conditional Permission.

CH/2000/1484/RC: Replacement of curtain walling on south east elevation to match glazing and cladding on adjacent wall. Conditional Permission.

CH/1996/0065/RC: Increase height of roof over part of training pool to accommodate climbing wall. Conditional Permission.

CH/1996/0066/RC: Construction of external flume on south elevation of swimming pool. Conditional Permission.

CH/1993/0495/RC: Alterations and glazed entrance to health and fitness suite. Conditional Permission.

CH/1990/1491/RC: Variation to condition 1(c) of planning permission 90/0933/CH to enable the hours of operation for the leisure pools to be extended to include 3.00 pm to 5.30 pm on Mondays to Fridays (including temp use of alternative car parking facilities at Dr. Challoners School). Temporary conditional permission

CH/1989/2037/FA: Alterations, extensions to leisure centre to provide diving and leisure pools, meeting rooms, creche, bar, staff area and health & fitness suites. (variation to details permitted under planning permission 88/2091/CH). Conditional Permission

CH/1984/1970/FA: The erection of four eight-metre high floodlights to serve an existing tennis court. Conditional Permission.

CH/1980/1760/FA: 2 no. squash courts. Conditional Permission.

CH/1988/2091/RC Alterations, extensions to leisure centre to provide diving and leisure pools, meeting rooms, bar, staff area and health and fitness suite. Conditional Permission.

TOWN COUNCIL

It has been confirmed they are in support of the proposal.

REPRESENTATIONS

No representations received from Members.

78 representations from have been received, which includes some where a contributor has submitted more than one representation, and/or where more than one representation has been received from the same address. 56 representations raise objection to the proposal. The grounds of objection are summarised below:

Impact on open space

- Loss of existing green space/amenity space
- Loss of green infrastructure

- Proposal will destroy existing green corridor
- Building will result in harmful visual impact from King George V open space
- Object to the land swap, and this is not a true land swap as there will be a net reduction in open space
- Loss and damage to trees, and more new trees are required to compensate
- The public consultation undertaken prior to submission was not clear on the amount of open space that would be lost
- Proposed building should be built on footprint of existing swimming pool building reducing impact on the existing open space
- Loss of open space contrary to policies R7 and R8
- Planning Policy officer consultation comments note that the loss of open space is contrary to policy, so why is this deemed to be acceptable?

Design / Impact on character and visual amenities of the area

- Building will lead to overshadowing of surrounding townscape
- Poor design
- Will be harmful to properties within adjoining Weller Estate Conservation Area as the proposal will impact on the view from these properties.
- Noise and light pollution for Woodside Road properties due to proposed locations of the MUGA and skate park
- Inappropriate choice of building materials
- Proposed building is too large. Where is the evidence that there is a need for such a large building?
- Building design/architecture is inappropriate and out of character
- Inappropriate location for a building of this size, it should be in an out of town location
- Building is imposing and lacks any cohesion with the surrounding area
- Building doesn't connect with Amersham-on-the-Hill town centre
- Detrimental to the character of Amersham-on-the-Hill
- Building is too high and bulky - upper floor should be stepped back
- Unacceptable view of building from Woodside Close
- Not in keeping with John Betjeman's view of Metroland and this building will dwarf adjacent housing
- Building sited too close to Chiltern Avenue and King George V Road
- Design should include a pitched roof fronting Chiltern Avenue
- Building is in the wrong place and breaks the view from Woodside Close
- Proposed 'internal street' does not line up with Woodside Close, so this doesn't work
- Plans should be scaled back and demolish and rebuild on the site of the existing facilities, even if this puts these uses out of action temporarily.

Impact on residential amenity

- Loss of privacy
- Light pollution
- Noise and disturbance from building and external facilities
- How will the skate park be managed to prevent anti-social behaviour from users
- No information around the construction programme and duration of the works
- Noise impact assessment does not consider the impact on north-east or eastern boundaries from displaced or re-located facilities
- Glazing will reflect light into surrounding residential properties, and such glazing should have reflective glass
- Harmful to existing neighbouring residential properties
- Location of air conditioning units/plant should not be harmful to neighbouring amenity
- Harmful to people's existing quality of life
- No details provided on opening hours for the proposed centre

Traffic, access and parking impacts

- Proposal will increase traffic, as well as HGV's during construction
- Will result in increased traffic and congestion along Woodside Close and Chiltern Avenue
- Insufficient parking provision on site
- The additional traffic and congestion will lead to increased pollution
- Where will building contractors park their vehicles, and where will the construction team be based?
- Insufficient parking provided for the community centre use
- Surface level parking is not appropriate, plans should include underground parking
- Need to reconsider pedestrian and cycle provision
- Parking surveys were undertaken during school holidays and therefore does not present an accurate picture.
- Poor disabled access
- Existing pedestrian desire lines across King George V open space will be impacted
- Inadequate coach parking provision
- The site layout should include 'exit' only and 'entry' only access points

Drainage and ecology

- Proposal will lead to drainage problems on King George V open space
- Drainage and groundwater assessment was conducted during a very dry summer and does not appear to represent typical or winter conditions.
- More consideration of ecological impacts required. Will increased hedging be proposed on the northern boundary?
- More planting required along north-eastern boundary to strengthen the landscape buffer

Need for the facility?

- No need for the proposed spa facility and small learner pool should be included as part of the plan
- It has not been demonstrated that there is demand for such an expansion in facilities

Facilities proposed

- Location of children's play area next to the car park is not acceptable and this is un-safe
- Children's play area should not be separate from other outdoor facilities
- Loss of existing water slides, which are a valuable recreational asset
- Locating the nursery at first floor is not appropriate
- Will there be an external 5-a-side pitch?
- The replacement community centre should cater for a greater range of user groups, and the kitchen facilities are not adequate
- There is no tennis court provision
- Lack of surveillance and supervision for play areas and outdoor facilities due to their location
- The lack of a young children's or teacher pool is a missed opportunity
- Not enough lifts to serve the first floor
- Proposed library is smaller than the existing
- Library should be on the first floor, with views across the open space
- Reduction in spectator seat numbers for swimming pool
- Climbing wall and café are poorly located

Public consultation

- More consultation with local residents required
- Critical of the pre-application consultation that the Council undertook with the community. Further consultation is required with the community to re-design the scheme
- Object to the timing of the application and the public consultation period falling over the Christmas period

- Further time should be given for the public to comment on the application and additional information submitted

Policy conflict

- There should be a requirement for an Impact Assessment despite what the Planning Policy Officer has said in their consultation response.
- Contrary to Local Plan policies R7 and R8
- Loss of green infrastructure is contrary to policy CS32
- The lack of an Impact Assessment is contrary to the NPPF

Other issues

- Contractor's compound is inadequately sized
- Not enough consideration for plant, delivery and waste vehicles during construction
- Contractor's compound and space required for construction could further erode King George V open space, this hasn't been properly thought out

Issues raised that are not material planning considerations

- Lack of clarity over what is proposed for the land currently occupied by the swimming pool, simply referring to this as 'future development site' is too vague
- Future development site is likely to impact on Woodside Road properties in a negative way
- Loss of value to nearby properties
- Question the claims made in the submission that the proposed development is financially viable at no cost to the tax payer
- It has come to light that a sum of money (£500,000) was taken from the Affordable Housing Reserve to be spent on feasibility studies for the 'future development site'. How can this be right?
- What security will be in place to prevent future illegal encampments by travellers?
- Cost of the development is excessive
- Removal of existing playground is a waste of money as this was only provided in 2015
- Building on open space contrary to existing land covenants

In addition, there have been 14 separate representations of support for the application, including support from Amersham Community Centre and Lindfield pre-school nursery. It should be noted one of the support letters received has not given an address. The reasons for support are summarised below:

- Will help modernise Amersham town centre and will be a wonderful facility for local families
- Welcome the improved facilities
- Will provide increased opportunities for people to engage in regular physical activity and sport
- Will be beneficial to users of Amersham Community Centre
- Welcome the replacement of existing outdated buildings
- Existing buildings are not fit for purpose and are in urgent need of replacement. Simply refurbishing them will not be sufficient
- Benefit to the local community
- Support the design and the range of facilities proposed
- Will provide additional jobs for the area
- Support the diving facilities
- One of the most exciting things to happen in Amersham in many years and will be positive for the area

A neutral comment has been received from the Chilterns Conservation Board, and a further neutral comment from a member of the public wanting to know if a replacement MUGA is being proposed.

CONSULTATIONS

Bucks County Council Strategic Access:

No objection.

Environment Agency:

No objection raised, some guidance and advice provided for the applicant to note.

Thames Water:

No objection.

Building Control:

Proposed works to comply with Approved Document M. No comments to make in relation to fire access.

Bucks County Council Archaeological Service:

No objection, but it is recommended that a further archaeological recording condition be secured.

Economic Development Team:

Support the proposal, it is expected this development will have a positive multiplier effect across the local economy.

Natural England:

Advised that they have no comments to make.

Affinity Water:

No objection.

Tree Officer:

Initial comments were provided on 21 December 2018, in response to these comments the applicant has subsequently submitted revised/updated information. This has been reviewed by the Tree Officer, and the following comments are provided:-

"Some revised tree information has now been submitted including an Arboricultural Report, an Arboricultural Impact assessment and a Tree Protection Plan.

The Arboricultural Report consists of a tree survey of the whole site but I note that a birch in front of the library between T1 birch and T4 horse chestnut has still been omitted, apparently because it was omitted on the original site survey.

The proposal involves the construction of a large building which would result in the loss of one Public Amenity Open Space in front of the library and the loss of a significant portion of another in the King George V Playing Field. The plans appear to require the loss of all the trees within the basic footprint of the building and the surrounding parking areas leaving only trees adjacent to the access road to the Chiltern Pools and within the remaining open parts of the King George V Playing Field. I note that a good young hornbeam T7 is now shown for retention and that much of the hedgerow adjacent to King George V Road is also now retained.

Many of the trees proposed for removal have been listed in Category B in the tree survey and generally any development proposal should be designed to retain these trees as far as possible.

Most of the trees proposed for removal were planted as landscaping around the existing Amersham Library. There are several useful amenity trees in front of the library including a lime, two horse chestnuts and three birches. The lime is a good mature tree and the three birches are good maturing trees but the two horse chestnuts have some health issues. Behind the library are a reasonable Scots pine and a cherry that is prominent but is beginning to show signs of ageing. Between the library and the community hall are two sycamores that have been cut back in the past but now have good shapes. Between the swimming pool and the car park are two sycamores and a maple in a line. These have been heavily cut back in the past to facilitate access to the climbing facility but are recovering and have some value as amenity trees. In addition several young trees planted as landscaping around the open air fitness equipment in the King George V Playing Field would be lost and so would the hedge between the playing field and the library.

The hedgerow and the trees along the King George V Road boundary of the King George V Playing Field are now largely retained. The important group of large oaks and beeches within the playing field would be quite close to the development but only a relatively small part of their root protection areas would be affected and this should not have a significant effect on the health of the trees. A line of five fairly poor cherries beside the existing access to the leisure centre along with the adjacent beech hedge are shown to be retained and so is the line of cherry trees along the boundary in front of the leisure centre building.

A revised Tree Protection Plan has now been submitted as part of the application and this now clearly shows the trees proposed for removal (apart from the omitted birch). It also shows appropriate tree protection fencing.

The application plans include landscape proposals that show the indicative planting of several native hedgerows and various trees but there is little detail on species and sizes. Nonetheless significant new planting would be appropriate to compensate for the proposed tree loss. I note that the Arboricultural Impact Assessment states in paragraph 3.16 that "Overall there will be a net gain of quality tree stock throughout the site as a result of the soft landscape proposals for the scheme". Whereas this may be true in terms of tree numbers, it would not be true in terms of foliage and photosynthetic effect, and it would be likely to be a number of years before any new planting compensates for the trees lost.

Overall the proposal would require the loss of open space and a number of good amenity trees. Normally the Council would seek to retain such trees and such loss would only be considered to be acceptable if there were significant planning benefits as a result of the proposal. Furthermore there should be a good landscaping scheme with suitable replacement tree and hedge planting".

Planning Policy Officer:

"The proposal involves building on part of the designated land of King George's Field and is thus in technical conflict with Local Plan policies R7 and R8. The NPPF states at Paragraph 97 that "Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: [...] c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use." The NPPF post-dates the Local Plan policies and the current proposal falls within the scope of the exemption stated in the NPPF. This, together with the relatively small amount of King George's Field to be lost and the overall enhanced provision of community facilities on the site leads me to conclude that an objection on the grounds of conflict with R7 and R8 would be inappropriate. I therefore do not wish to raise a policy objection on the grounds of conflict with Local Plan Policies R7 or R8.

Core Strategy Policy CS28 aims to retain and improve leisure and recreational facilities. The proposal complies with this policy.

Core Strategy Policy CS32 relates to the identification, protection and enhancement of strategic green infrastructure assets within the District. The policy includes requirements for where development is deemed to sever existing assets but I consider that that does not apply in this case. I consider that the proposal is overall positive in terms of green infrastructure and does not conflict with this policy.

The site is just outside the Amersham on the Hill town centre boundary and as such falls to be considered as an edge of centre site.

The proposal falls within the definition of a Main Town Centre Use in the NPPF. Such uses are subject to a sequential test whereby main town centre uses should be located in town centres, then in edge of centre locations (paragraph 86). I can see no evidence that such a test has been undertaken in this case. Nevertheless, it is apparent that no suitably sized site is available within Amersham on the Hill town centre and so an edge of centre location such as this is acceptable in principle. Paragraph 87 of the NPPF says that, when considering edge of centre proposals, preference should be given to accessible sites which are well connected to the town centre. The application site is very well connected and well related to the town centre and I consider there is no policy conflict despite the lack of a sequential test being undertaken.

The NPPF paragraph 89 states that leisure development over 2,500 sqm (gross) outside a town centre should be subject to an impact assessment which would assess, inter alia, the likely impact on town centre investment, trade, vitality and viability. I can see no evidence that such an assessment has been undertaken in this case. Nevertheless, the proposal is to replace and enhance an existing leisure centre on the site that has an established catchment and trade draw, and it seems unlikely that a new facility would have any significant negative effects on town centres within its catchment. Indeed such an investment in a new facility close to Amersham on the Hill town centre appears likely to enhance perceptions of the centre and the town as a whole. I consider there is no policy conflict despite the lack of an impact assessment being undertaken".

Sport England:

"Consider that the proposal will significantly increase the sporting and recreational offer currently provided by the existing facilities. Advise that Swim England, Badminton England, England Netball and Table Tennis England support the facilities. Further clarification sought on the use of the small sided indoor football pitch. The proposal is considered to meet the objectives of the NPPF through protecting existing facilities by securing appropriate replacement provision as well as providing new facilities to meet additional demand generated by growth. The facilities are considered fit-for-purpose. This being the case, Sport England offers its support for this application".

Bucks County Council Sustainable Drainage:

The initial response dated 8 January 2019 raised an objection due to insufficient mitigation measures relating to surface water runoff and the proposal of deep borehole soakaways. In response the applicant's drainage consultant has prepared a technical note (dated 18 January 2019) seeking to address the grounds for objection and has been in subsequent discussions with the LLFA. Having reviewed the additional information submitted the LLFA confirmed in a response dated 31.01.19 that they remove their objection, subject to recommended conditions (which the applicant is agreeable to).

Bucks County Council Highways Officer:

"The existing community centre use benefits from on-site parking via three separate car parks, Chiltern Avenue and the Chiltern Pools car park, both accessed via Chiltern Avenue, and the Civic Centre car park, accessed via King George V Road. These car parks are pay and display car parks for the general public and provide 233 spaces in total currently. In addition to these car parks, the Council Offices car park on King George V Road is used as overflow parking for weekend use only.

The gross floor area (GFA) of the existing buildings currently measure 4,570sqm and is split across four separate buildings. The proposed development would provide a floor area of 9,989sqm, which is an increase of 5,419sqm on the site. A TRICS® (Trip Rate Information Computer System) analysis has been undertaken in order to determine the likely trip generation from the site once fully operational. Whilst I would agree that both the weekday and weekend surveys submitted are considered representative, I would point out that the weekend surveys submitted consist of one site from Greater London, which would not usually be acceptable given the higher levels of public transport in the London area. It is noted, however, that the TRICS® data for weekend use of Leisure Centres are very limited, and therefore in this case, having had further discussions with the applicant, the TRICS® data supplied by the applicant is deemed acceptable in this instance.

It should be noted that not all of the additional floorspace would be expected to generate vehicular movements in their own right, such as storage rooms, offices and changing rooms, and this has been taken into account when applying the TRICS® data. The TRICS® data shown demonstrates that the additional 3,093sqm Leisure Use Class would have the potential to generate an additional 25 movements (14 arriving, 11 departing) in the AM weekday peak, an additional 70 movements (36 arriving, 34 leaving) in the PM weekday peak, and an overall total of 588 additional vehicular movements across the weekday in total. On a weekend, the development would be expected to generate in the region of 916 vehicular movements (two-way) per day in total. As previously stated, I consider that the TRICS® data submitted is adequate in this instance, as discussed during the pre-application phase.

Week long ATC (Automated Traffic Count) surveys were also undertaken along the three principal roads around the site. These surveys were undertaken on Chiltern Avenue and King George V Road between the 16th July - 22nd July 2018, whilst an ATC survey on Woodside Road was undertaken between the 22nd July and the 28th July 2018. These surveys were undertaken within school term time, with a parking survey undertaken on Chiltern Avenue in September also recording similar traffic figures. I am therefore satisfied that the ATC surveys undertaken are robust and can be relied upon.

Classified turning counts of the junctions in the vicinity of the site have also been undertaken, with traffic re-distributed in order to take the closure of the car park on King George V Road into consideration. The data has been up-lifted using TEMPRO® in order to account for local growth in the area, with the TRICS® data included so as to predict the level of impact on the access point and roads in the vicinity of the site at the year of opening. From the data submitted, I do not consider that the impact on both the site accesses and the junctions in the vicinity of the site would have an unacceptable impact on highway safety and convenience.

Parking surveys of the existing four car parks in the vicinity of the site (Chiltern Pools, Chiltern Avenue, Civic Centre, and Council Offices) have been undertaken, which show that currently, the car parks associated with the Chiltern Centre have spare capacity both on weekends and weekdays, with the peak period coinciding on a Thursday at 11:00am, where 82% of the existing 233 spaces were occupied. The survey undertaken at the Council Offices car park showed that spaces are often at or close to capacity on weekdays, with a peak car occupancy of 103% at 10:00am on Friday. It should be noted however, that this car park is not available to visitors to the Chiltern Leisure Centre during the working day of the District Council offices.

In addition to this, I am aware that during the construction period of the nearby Multi-Storey car park, that 147 long-stay commuter parking permits were reallocated to five other car parks in Amersham (Chiltern Pools, Chiltern Avenue, Civic Centre, Sycamore Road and the Boot and Slipper). Given that the car parks currently serving the leisure centre are in closer proximity to the railway station than Sycamore Road or the Boot and Slipper, it is reasonable to assume that the majority of vehicles displaced as a result of the construction period would be parking in this location.

In terms of site layout, I note that within the site, 221 car parking spaces are proposed, consisting of 11 standard electric charging points, 12 accessible spaces (1 electric), 12 grass-crete spaces and 187 standard parking spaces. In addition to this, the site will accommodate a 15m drop-off layby for cars and taxis, 8 motorcycle spaces, 1 minibus parking space has been shown within the service yard. This location of this space is not considered acceptable, due to refuse and storage of material associated with the operation of the centre that may cause a hazard to pedestrians accessing vehicles. Therefore the Highway Authority requires space to be provided within the car park for minibuses, this should be managed through a Parking Management Plan, as set out in condition 4 below. The Local Planning Authority may wish to comment on this further. There are 50 cycle parking spaces and a delivery and servicing loading area. From the submitted site plan, I note that all car parking spaces measure 2.5m x 5m, with all accessible spaces benefitting from a 1.2m strip across the rear and one side. Whilst I trust that the Local Planning Authority will consider the adequacy of the parking provision, I can confirm that the standard spaces are of adequate dimensions to allow for vehicles to park within the site.

Within the site, I note that pedestrian footways measuring 3m in width have been provided, which I can confirm are of an appropriate width to serve the site. However, I would have some concerns with the pedestrian access points from Chiltern Avenue being step accesses, and would therefore be unsuitable for use by wheelchair/disabled users. I would request that step-free access is provided, or a ramped access shown so as to allow the site to be accessed by all users. Further to this, I note that a pedestrian footway is provided adjacent to the service yard, with chemical storage and waste collection being provided from this area. The Highway Authority would require this area to be fenced off and gated in order to prevent members of the public from entering this area.

In terms of coach parking, I note that a space has been provided on King George V Road; however Buckinghamshire County Councils Parking Services manager does not consider this to be appropriate in this location, as they do not consider the limitation of a single vehicle type to be an appropriate use of public highway kerb side space. In addition to this, the placement of large vehicles in this location, albeit temporarily, would limit visibility for vehicles both entering King George V Road and egressing from existing spaces, and would limit access into the council offices service/delivery area opposite. An alternative coach parking area has been provided to the north of the building, which would also be used for refuse collection and deliveries. Swept-path analyses have been submitted of a 12m coach vehicle, which confirm that these vehicles are able to manoeuvre through the site acceptably, however as previously stated, this would be in an undesirable location for children to disembark from the vehicle. Parking of coaches within the site should therefore be managed through Parking Management Plan, with bays taken out of service at times when planned coaches are expected to allow for coach parking off the highway. I would request that all deliveries and refuse collection vehicles should enter and exit the site via the northern access point.

The site is in a sustainable location only a short walking distance from the railway station and Amersham town centre. The application proposes 50 cycle parking spaces, which I acknowledge is double the amount required by Buckinghamshire County Council's Parking Guidance document. I am confident that this level of cycle parking provision is appropriate; however the Sheffield Stands provided for cycle parking are neither lit, nor covered, which could deter visitors to the site from using this method of transport to and from the site. I would request that these cycle spaces are revised to provide a cover and a lighting source.

The Highway Authority has concerns that during construction there will be a loss of parking available at the site, which will have a detrimental impact on the surrounding area, given that it has been demonstrated there is an existing capacity strain on parking in the area. In view of this, it is expected that the applicant makes adequate provisions to minimise disruption during the construction phase. As part of the CMP, the applicant would need to provide details of phasing, including timescales for each phase. This should include details of, where possible, how the maximum amount of car parking will remain undisrupted, and where a loss of

parking cannot be avoided, an indication of any potential alternative locations where parking may take place. Details should also be submitted of public notices to be displayed in advance of works to make users of the car park aware there will be a loss of parking.

It will also be required that a swept path analysis of a construction vehicle entering, manoeuvring and exiting the site is provided for each phase of the construction".

Mindful of the above, the Highway Authority raises no objection to the proposals, subject to recommended conditions.

Council's Ecology Consultant:

No objection raised, subject to securing conditions relating to a scheme of ecological enhancements, external lighting and a Construction Environmental Management Plan.

District Strategic Environment Teams (Air & Land Quality, Major Development, Sustainability, Carbon Reduction, Radioactivity) and (Environmental Health, Sustainability and Resilience):

No objection, subject to recommended conditions.

District Historic Buildings and Conservation Officer:

No objection raised.

District Landscape Officer:

"The proposals are generally acceptable. However further details are required about the proposed planting (on a detailed planting plan) about tree, hedge and shrub plant species, numbers and locations on the site.

The loss of some of the open space will be regrettable. This space is currently used by many people for informal activities, and those activities might be affected by the reduced space. The wildflower meadow areas are a good idea but has thought been given to the potential implication of these on user groups on the site, and on-going maintenance?"

District Estates Team:

The response is summarised as follows:-

The proposals will improve the urban landscape, currently occupied by a collection of ageing 1960's buildings, which are beyond their economic life.

Proposed building will reduce the Council's carbon footprint.

Facilities will encourage social interaction, learning and support the leisure needs of the community.

The range of facilities proposed offers a strategic approach to delivering services across the public, private and community sector to the benefit of Chiltern residents.

Will allow for the consolidation of car parking on site, enabling the increased provision of disabled parking, electric charge points and opportunities for cycle and disabled vehicle parking.

As a new asset with a 60+year life the building will reduce the Council repair and maintenance liabilities but also create the opportunity to add value to the Councils Corporate assets. As a facility that will be delivered at no increase to the council tax payer this presents a very strong case for redevelopment.

This will have a positive impact on the local economy. Public consultations undertaken show a high proportion of support in favour of the proposal.

For these reasons the application is supported.

Thames Valley Police (TVP) Architectural Liaison Officer:

No objection has been raised. A condition is recommended requiring approval of a security strategy, including CCTV provision, once an operator has been appointed for the facility.

POLICIES

National Planning Policy Framework (Revised July 2018) (NPPF)

National Planning Policy Guidance (NPPG)

Core Strategy for Chiltern District - Adopted November 2011: Policies CS1, CS4, CS5, CS20, CS24, CS25, CS26, CS28, CS29, CS30 and CS32

Chiltern District Local Plan - Adopted September 1997, Consolidated September 2007 and November 2011: Saved Policies GC1, GC3, GC4, GC7, GC9, GC14, TR2, TR3, TR11, TR14, TR15, R2, R3, R7, R8, CSF1, CSF2, and CA2.

Sustainable Construction and Renewable Energy Supplementary Planning Document (SPD) (2015)

EVALUATION

Principle of development

1.1 The NPPF contains the most up to date national planning policy. There is a presumption in favour of sustainable development; the overarching objectives to achieving sustainable development are; (i) an economic objective, (ii) a social objective, and (iii) an environmental objective.

1.2 The site is located within the built up part of Amersham-on-the-Hill that is outside of the shopping centre boundary, and comprises a local authority owned site which currently accommodates a range of existing D1/D2 use buildings, external sports and leisure facilities and public open space. With the exception of the loss of some public open space as addressed in section 3 of this report, the proposed redevelopment providing enhanced D1/D2 facilities is considered acceptable in principle.

1.3 Paragraph 91 of the NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places. These should help to promote social interaction, provide safe and accessible places, and enable and support healthy lifestyles. The proposed development would help to improve people's health and well-being through the provision of new and enhanced sports facilities.

1.4 Paragraph 92 of the NPPF supports the provision of social, recreational and cultural facilities the community needs. Planning policies and decisions should plan positively for the use of shared spaces and community facilities, and guard against the unnecessary loss of valued facilities and services. The proposed replacement facility will include uses and services that support the aims of the NPPF in this regard (i.e. through provision of replacement library and community hall and a building that supports co-location).

1.5 Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. The NPPF (paragraph 97) states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) An assessment has been undertaken which clearly shows the open space, buildings or land to be surplus to requirements; or
- b) 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; or
- c) The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

1.6 Equally Local Plan policies R7 and R8, whilst pre-dating the NPPF do not support the change of use of designated public open space other than in specific circumstances which do not apply in this case, nonetheless as discussed in section 3 below, there are considered to be benefits to this scheme which mitigate the loss of the open space. Additionally, NPPF exception tests do allow for development on existing open space under certain circumstances.

1.7 Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. All developments that will generate significant amounts of movement should be supported by a Travel Plan, and a Transport Assessment so that the likely impacts of the proposal can be assessed (NPPF, paragraph 109).

1.8 Paragraphs 117 and 121 of the NPPF promote more effective use of land and existing sites that provide community services, provided this maintains or improves the quality of service provision and access to open space.

1.9 Policy CS1 of the Core Strategy - the spatial strategy - focuses development to the main settlements, specifically referring to Amersham-on-the-Hill, with limited development able to take place in other smaller settlements excluded from the Green Belt. The Policy aims to protect the AONB and Green Belt by concentrating development within the existing settlement areas.

1.10 Policy CS3 refers to distribution of new leisure, community and health facilities, stating these should largely be in the four main centres for growth, of which Amersham-on-the-Hill is one.

1.11 Policy CS4 seeks to ensure that all new development has appropriate regard to sustainable development principles. This includes making use of sites that are easily accessible by public transport, walking and cycling, and making effective use of previously developed land.

1.12 Policy CS28 seeks to protect the loss of existing public leisure and recreational facilities. Where a need for improvements or new facilities is identified the Council will work with partners to find ways of delivering these improvements. New development must provide for the recreational needs of the new communities including public open space and play areas. This application is consistent with this approach.

1.13 Policy CS29 seeks to retain existing community facilities and to provide additional facilities to meet future needs. Also the policy states that community facilities should be located close to existing community infrastructure and frequent and reliable transport infrastructure. Again this application is on the site of existing facilities, there is no material change of use.

1.14 The Council undertook a comprehensive feasibility study (Leisure Needs Assessment - April 2016) to understand the current leisure needs of the District and consider future opportunities to provide new facilities, to help meet predicted growth and which would assist the local authority in encouraging future health benefits for the District's population. The report made a number of recommendations aimed at increasing current activity. There was evidence to suggest a shortfall in multi-activity spaces in the Amersham area. The

current condition and quality of the Chiltern Pools building was considered to be making it increasingly difficult for a good quality sports offer to be provided. The replacement of this ageing facility was identified as a priority for the Amersham area. It was identified that there is a large and increasing demand for health and fitness facilities, and a need for new investment in sports facilities to accommodate greater community access and participation. Following the results of this assessment the Council developed plans for the replacement of the existing leisure and community facilities on-site to provide one multi-purpose facility. This approach was also subject to public consultation between 2016 and 2018 with the local and wider community, as well as stakeholders (refer to Community Engagement section below).

1.15 Emerging Local Plan evidence base document Open Space Strategy (2018) identifies that Amersham currently has (and will in the future) a surplus of amenity grassland and natural and semi-natural greenspace. It also identifies a deficit in the provision of facilities for children and young people. This represents an up-to-date' assessment of need.

Suitability of location:

1.16 The site is outside of Amersham-on-the-Hill town centre, but is considered an edge of centre site. NPPF would direct a main town centre use such as this to a town centre location in the first instance, and if proposed in locations outside of a town centre should be subject to a sequential test. Planning policy officers questioned if any such exercise had been undertaken, and the applicant has since clarified this further. It has been confirmed that the Council considered the suitability of this site and a number of alternative sites nearby. This included; the application site, the site currently occupied by Council offices, the Police Station and Health Centre and Bury Farm (Gore Hill), as well as a number and range of other potential sites around Amersham. Other potential development sites were identified as being unsuitable for a number of reasons, such as being outside of town centre, poor accessibility, land designated for other purposes and coming forward as part of alternative development proposals, or currently being occupied. The application site was concluded to represent the most appropriate, and deliverable option. Two of the identified sites within the preferred town centre location (East Building Supplies and Amersham Royal Mail Delivery Office sites) are too small. The application site also benefits from historical established use for leisure, sport, recreation and community facilities and the proposal would give rise to replacement and upgraded facilities.

1.17 Taking into account the proposed increase in the size of the facility and expansion of facilities on site it is reasonable to expect an uplift in visitor numbers. No impact assessment has been undertaken to assess likely impact on the existing town centre. Notwithstanding this, Policy officers do not consider that one is necessary, on the basis this would replace and enhance existing facilities that serve an established catchment. In fact a new facility such as this could positively benefit the town centre as uplift in visitors could translate to increased footfall within the town centre, which is only a short walk away.

1.18 In summary, the site is currently in D1/D2 uses, therefore, the principle of these uses is already established, with the need for new sports and leisure facilities in the Amersham area identified in the aforementioned feasibility exercise, in 2016. Part of the site is designated as public open space, and whilst there will be a net reduction in public open space the proposed development will provide replacement modern sports, leisure and community facilities and represents a significant enhancement in provision, in accordance with paragraph 97 of the NPPF. Therefore the principle of the proposed development is considered to be acceptable when balanced against all relevant material considerations. It is advanced that the development, by virtue of its location and multi-purpose use, would also provide additional local economic benefits to support the role of the nearby town centre. The facility is in a sustainable location, and makes effective use of previously developed land, in accordance with the NPPF. National planning policy, the Adopted Core Strategy and Adopted Local Plan supports the proposed development.

Public open space

2.1 Local Plan policies R7 and R8 do not support the change of use of designated public open space and also development that would detract from its existing character and appearance. The NPPF which is more up-to-date than the Local Plan protects existing open space from development, unless certain exception tests are met. The proposal does involve building on part of the existing public open space. There are two parcels of open space on the site, and the proposal would result in the loss of the smaller parcel which is in the south-western corner of the site, abutting King George V Road (i.e. the landscaped area in front of the existing library). There would also be partial loss of the larger parcel of public open space, known as King George V Field, that is to the rear of the proposed building. This space offers a wide range of recreational uses and is an important area of open space for the Amersham area. Approximately 342 sqm of open space will be lost at the front of the site, and 4,106 sqm from King George V Field. A significant proportion of the proposed building footprint will be situated where there are existing hard standing structures and outdoor facilities (i.e. skate park, MUGA and children's play area). So, the loss of existing areas of undeveloped, open space is far less when this is taken into account. The replacement and enhanced external facilities will result in some additional encroachment into the open space, beyond the building footprint.

2.2 The proposed siting of the replacement building, coupled with the proposed footprint result in the loss of land designated as public open space. The rationale for the proposed location of the replacement building is to allow for the construction of this facility whilst ensuring the continued operation of the existing sports, leisure and community buildings on site. This approach will only result in the temporary loss of the library service, which will then be re-provided within the replacement building, therefore minimising the impacts on existing service provision during the construction period.

2.3 Due consideration has been given to the objections received on the grounds of loss of existing open space, these have been balanced against the wider planning merits of the proposal. It is noted in paragraph 97 of the NPPF that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless one of the exception tests have been met; these are, a) an assessment has shown the space to be surplus to requirements, or, b), the loss resulting from the development would provide for a better quality and quantity of provision, or c), the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use, have been met. Officers consider that in this instance the loss of existing sports and recreational buildings, and the partial loss of existing open space resulting from the development would be replaced by significantly better sports and play provision in terms of quantity and quality, in a suitable location, and that the proposed development is for alternative sports and recreation provision, the benefits of which clearly outweigh the partial loss of public open space. The 2018 NPPF post-dates Local Plan policies R7 and R8, and it is considered, on balance, that the proposal does satisfy NPPF exception tests b) and c). The open space loss will have a degree of harm, but this is outweighed by significant benefits in terms of enhanced replacement provision, and is therefore found to be in accordance with paragraph 97 of the NPPF.

2.4 The reduction in existing open space is justified for the reasons set out above, therefore satisfying the exception tests set out in the NPPF. Additionally, there are practical reasons that further justify the loss. For example, the proposed location of the building and loss of an area designated as open space is to prevent the temporary closure of facilities on site (save for the library) during the construction phase, therefore ensuring continuity of these well used facilities and minimising impacts on the local community during construction. The replacement facility will also replace out-dated facilities with modern and much enhanced facilities that will allow for increased accessibility and participation in a range of activities.

2.5 The proposed development would see a proportion of King George V open space built on. Amersham Town Council has agreed to the release of a small portion of land, in return Chiltern District Council has agreed to the transfer of the ownership of the green at Woodside Close to Amersham Town Council. The

green at Woodside Close would be protected through Fields in Trust organisation. This land swap has been raised in a large proportion of the objections received, however this is a matter that relates to land ownership and is not held to be a material planning consideration. As discussed above, on balance it is considered the loss of open space is justified on planning grounds.

Design and appearance / Impact on character of the area

3.1 The proposed building would represent a significant change in the street scene from the existing collection of buildings currently provided on this site. It is fair to say that the existing buildings (with the exception of the Annex and Barn, which are both being retained) are ageing, are very much of their time and do not contribute positively to the streetscene or character of the area. The replacement built form will be modern in appearance and bought closer to both Chiltern Avenue and King George V Road (with associated landscaping provided). It will be concentrated to the south western part of the site which is a notable difference, and it will be greater than the existing in terms of footprint, mass and scale, which is due to the range of operational requirements and uses needing to be accommodated within the multi-use building. To set it in the context of the street scene, the adjacent development to the south west of the application site (on the opposite side of King George V Road) comprises a three-storey building occupied by Chiltern District Council, and the proposed building is of a comparable height and scale to this. As such, it is considered that this will not appear incongruous in scale with the existing built form along the south western side of Chiltern Avenue. The character along the south western side of Chiltern Avenue is materially different to the north western side, which is residential in character.

3.2 The design of the scheme follows pre-application consultation, including a Commission for Architecture and the Built Environment (CABE) design review having been undertaken with the applicant in September 2018. In summary, CABE were supportive of the principle, and considered that this facility will help improve the health and wellbeing of people in Amersham and beyond. The site was noted as being in an accessible sustainable location, which it was considered would support the vitality of the town centre. CABE's position in relation to more detailed design elements of the proposal is summarised below:-

- Height, massing and the level of development proposed were considered appropriate for the site.
- The design of the building was considered to be promising, but it was felt that more could be done to integrate the building with its surroundings.
- The building should be more outward looking.
- More could be done to emphasise the building entrances and greater variation to the roof profile should be considered.
- The building and landscape could have a more defined character and identity and further thought should be given to how the centre could relate to its surrounding context.
- Need to create safe, welcoming movement routes within and beyond the site to improve connectivity.
- Considered the site layout to be car park dominated - planting and landscaping should be used to reduce dominance.
- Highlighted a conflict with the location of the junior play area.
- More work required to refine the elevations and more thought given to the scale of each proposed material.
- Further consideration of the sustainability strategy required, including exploring the feasibility of sustainable technologies.

3.3 In response to the CABE feedback the building design and landscaping were evolved. This resulted in the following changes:-

- Variation of the roof profile introduced.

- Additional openings were added to the building, this allows views into and out of the building to areas such as the clip and climb, and soft play.
- Revisited the external materials palette, resulting in changes to the sports hall cladding and choice of brick.
- Use of additional landscaping to reinforce pedestrian routes.
- More emphasis given to the secondary entrance.
- More glazing added and planting carried through inside the building to the internal street, this is to provide a stronger connection between building and landscaping.
- Provision of electric vehicle charging points, and additional cycle parking to provide greater sustainable transport options.
- Introduction of air sourced heat pumps, a more efficient heating and ventilation system (PV panels for the sports hall roof are also being explored to see if feasible)

3.4 It is unfortunate that the building has not been designed to be even more outward looking, it is felt that the facades to the sports hall would benefit from more articulation and interest. On balance however, the redesign of the building has added interest and generally addresses the points raised. Comments received more recently from the Council's Urban Design consultant indicated how the external landscaping could be enhanced, which would positively contribute to the public realm, these changes are discussed further below in section 6.

3.5 In terms of car parking, the CABE suggestion that car parking be reduced is not considered to be appropriate for a development of this nature, therefore this has not been pursued with the applicant. Car parking provision is discussed further below in section 8.

3.6 The NPPF attaches the government's importance to the design of the built environment. Good design is seen as a key aspect of sustainable development and good design creates better places in which to live and work. Local authorities should seek to secure high quality design and it should contribute positively to making places better for people.

3.7 Policy CS20 refers to design of new development and requires that it should reflect the local character and surrounding area. The existing non-residential buildings on the site and in the surrounding area vary in their character and appearance and were developed in an ad-hoc fashion. The existing buildings on site (to be demolished) date from the 1960's and 1970's, and these are flat roof buildings that are either finished in brick, concrete or cladding. They are considered to have little architectural merit. To the south west of the site is the Council office building, a three-storey brick building with pitched roof. Adjacent to this are the existing Law Courts, Police Station and Health Centre buildings, these are similar in appearance and scale to the Council offices. Further south-west along Chiltern Avenue is the multi-storey car park building (recently extended). This is a prominent structure in Amersham-on-the-Hill, and is comprised of a brick construction with 'grilled' openings, with part of the upper floor being 'enclosed' by a corrugated sheet roof, and the recently opened multi-storey car park extension is constructed in cladding, with similar 'grilled' openings. Beyond this is a modern 3-storey office building constructed in glass and brick. Opposite and adjoining the site on two sides are two-storey dwellings. These are a mixture of brick or render finished, and the use of flint as a building material (primarily for aesthetic reasons) is prevalent in the surrounding area.

3.8 The submitted Design and Access Statement (DAS) sets out the design rationale, having had regard to the local context. Plans demonstrate that the proposed building height will be commensurate with the height of the roof of the Council office building opposite. Consequently, it is not considered that a two-storey building of this mass and bulk would, in principle, appear out of place in this location, a position also supported by CABE. As referred to above there are comparisons in terms of height and massing along Chiltern Avenue due to the nature of the existing non-residential buildings. The scale and massing of the proposed

building is broken down in any event through variation in height, materials and roof forms, which help make the building appear as a series of connecting elements rather than a single mass.

3.9 The proposed materials palette is described in detail in the submitted DAS, and is partly influenced by a desire to reflect the local character in terms of building materials, textures and tones. As referred to above flint dressing is commonly used in the surrounding area. To reflect this influence a multi-mix grey brick is proposed to be used for much of the ground floor parts of the building. Rimex cladding panels are proposed in bronze colour tones, these are to relate to the colour tones of surrounding brick buildings, and this will feature on all elevations, with particular prominence along the south-west (rear section) and south-east elevations. Vertical wood cladding (western red cedar) will be used to the forward projecting two-storey element fronting Chiltern Avenue, which is where the community functions of the building are accommodated, and this also wraps around the corner of the building. This provides a softer, more natural material and will help to identify the community function element of the building. Within the timber cladding the lettering for the centre name will be etched. The sports hall section of the building has proven to be the most challenging in terms of design, articulation and use of materials, as its internal function largely dictates its physical form. Having explored a number of options for the sports hall it is proposed to reflect the local vernacular found on the locally listed Annexe and Barn buildings, and picking up on the fact these buildings are treated in dark (black) timber a dark grey metal cladding is proposed for the sports hall, with a lighter grey brick used at the lower level. There are no openings to the sports hall element, though the use of glazing on other elements of the building has been maximised given the need for natural light into the building, and the need to provide visual permeability into and out of the building. The glazed sections of the building define the swimming pool, giving this a strong presence along the frontage (seen along Chiltern Avenue), and will define the main entrance, and community hall. Along the south-west elevation a large central glazed section serves the soft play area and void above this, which helps add visual interest and breaks up the façade along King George V Road. The smaller glazed openings along this elevation serve the spa at ground floor, and fitness suite at first floor. The south-east elevation, facing towards King George V Field incorporates ground and first floor glazing to the spa and fitness suite elements, and a central double height glazed section serves the climbing area and the internal central street, which helps to connect the internal space with the external landscape. The amount of glazing to this façade will maximise views across the open space, help provide a level of natural surveillance and help to add visual interest to the elevation, which will be prominent when viewed from the adjacent open space. It is considered unfortunate that the sports hall element cannot be broken up in a similar way, however it is understood that there are practical reasons why this cannot be done. The use of the multi-purpose sports hall does not lend itself to having areas of glazing from a practical point of view and use of glazing also presents internal lighting issues and glare for participants. Furthermore, the use of glazing in sports hall buildings goes against best practice guidance published by Sport England.

3.10 Notwithstanding detail of materials included as part of the DAS, in order to ensure the final quality of external materials is appropriate and delivers a high quality building a condition is recommended requiring the submission and approval of materials.

3.11 The proposed building due to its height, scale and massing would have some impact on the locality, and, whilst representing a significant change from the existing situation, on balance it is considered that this would not appear unacceptably obtrusive. It would be of modern design; but it has been demonstrated that the choice of materials has had regard to local context, and the nature of the use does constrain to a degree how the elevations can be treated. Integration of the building with the landscaping will help to ground the building, so that it responds to its wider setting. Overall it is considered the proposed replacement building would be an improvement on the existing collection of buildings to be demolished, these are of no architectural merit and do not contribute positively to the character of the area. The impacts of the proposed building would not be unduly harmful to the character of the area, and any harm would be outweighed by the

tangible public benefits the proposed facility will deliver, and these public benefits should be given significant weight when weighing up the planning merits.

Heritage impact and Archaeology

4.1 Paragraph 189 of the NPPF states that in determining planning applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, and should assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset).

4.2 Local Plan policy CA2 requires new development to preserve or enhance important views, looking into, or out of a Conservation Area.

4.3 The application site is not within a designated Conservation Area, nor does it include any listed buildings on the site, or in close proximity. The two existing locally listed buildings within the north western corner of the site area non-designated heritage assets, and these are remaining remnants of the former Woodside Farm. Both buildings are outside of the redline application site boundary and are being retained.

4.4 Retention of the existing heritage assets was an important point of feedback that came out of early consultation, so this has been a key consideration and the scheme has been designed in order to achieve their retention. The current setting of these buildings is provided in the form of the surface level car park, and the collection of existing 1960's and 1970's buildings. There is no existing landscaped setting for them. The proposed scheme has considered the setting of these buildings, and this is reflected through the proposed materials palette. The use of materials that are red/bronze/orange in tone would pick up on the historic brick type and clay roof elements. Additionally, the black timber that exists on these buildings is interpreted in a modern way, through the use of the dark grey cladding on the sports hall. The proposed western red cedar timber on elements of the replacement building will also tie in with these historic buildings. The landscape setting for these buildings would also be noticeably improved.

4.5 The southern boundary of the Weller Estate Conservation Area does adjoin the north eastern boundary of the site, and this comprises of 1930's two-storey residential development on Woodside Road and beyond. The proposed replacement building would be visible from within the Conservation Area with vantage points coming from residential properties backing onto the site. It is noteworthy that the proposal would position the replacement building further away from the Conservation Area's southern boundary when compared to the existing buildings. Given the degree of increased separation to be provided, the re-concentration of building mass further away from the Conservation Area, the limited views into and out of the Conservation Area, the residential character of the Conservation Area and the fact that the proposed building would relate to the existing concentration of civic buildings (i.e. Council offices, Police Station, multi-storey car park) situated fronting on to Chiltern Avenue, it is considered that the Weller Estate Conservation Area would be subject to less than substantial harm and there would be significant public benefit achieved through this proposal.

Archaeology:

4.6 Notwithstanding that the site is not located within a known area of archaeological importance, the application is supported by a Historical Environment Assessment, and Written Scheme of Investigation. Due to some uncertainty about the degree of archaeological potential on the site owing to the lack of previous archaeological investigations the report considered it likely that further investigation would need to be carried out. This will give a better understanding of the nature and potential for remains on site. In response, the applicant has undertaken archaeological trial trenching, as agreed with Bucks CC Archaeology Officer, who has subsequently confirmed in writing that no further investigation work is required, nor are any conditions recommended.

4.7 No concerns are raised by the Council's Conservation/Listed Buildings Officer, who having reviewed the proposals considers that the proposal would better preserve the setting of the Weller Estate Conservation Area as it would reduce the built form on its fringes, and within the immediate setting of the non-designated heritage assets (i.e. the two locally listed buildings).

Landscaping and Trees

5.1 Well considered landscaping is fundamental to good design, and to creating well designed, inviting and useable spaces that contribute to a good sense of place. This is crucial to the success of the proposed scheme. The NPPF recognises this, in paragraph 170, where it refers to the need to contribute to and enhance the natural and local environment, and recognises the contribution trees make to the character of an area. The importance of effective landscaping is also cited in paragraph 127.

5.2 Local Plan Policy GC4 seeks the retention, where appropriate, of existing established trees and hedgerows in sound condition and of good amenity.

5.3 The proposals are supported by a landscape strategy and arboricultural report. The landscape strategy seeks to deliver two distinctly different areas. To the east of the building a more informal, open and natural approach is proposed for King George V Field. In front of the building along Chiltern Avenue, around the car parking area and along King George V Road more formal landscaping is proposed. At the heart of the overall landscaping strategy for the site is this concept of the internal street, this provides an internal connection with the external landscape. This feature has been designed to line up with the main entrance, it runs front to back inside the building and will be internally landscaped to achieve a green corridor that connects the building inside to its landscaped setting outside. Views will be possible through this space to the external spaces, maximising the outlook onto King George V open space.

5.4 The external areas can be broken down into distinctly different areas, each requiring a difference in landscape treatment. The arrival point is where the main entrance is situated, and this lines up with the well used pedestrian route to the town centre, via Woodside Close. This will provide a legible connection between the building and Amersham, and is a significant improvement on the poorly defined, and hidden entrance to the existing Chiltern Pools building. The landscape treatment of this area will be more formal, with structural landscaping, a well defined level pedestrian route to the main entrance, new trees, seating areas and low level planting. Around the car parking area there are less opportunities for soft landscaping due to the need to achieve a certain level of parking within the site, provide appropriate circulation routes and to facilitate space for servicing vehicles within the site. The use of materials within this area is then important as the variation in materials proposed will help break up the space, provide visual interest and define the hierarchy of routes and connections through the space. New tree planting and low level planting around the perimeter will help to soften this car park area.

5.5 The external play and exercise areas are located around the building, and these facilities will replace as well as enhance the existing facilities that are well used by the local community. The recently installed junior play equipment will be relocated to the front junior play area, and a new dedicated older children's play area will be located at the rear of the building. Site constraints do not allow for the two play areas to be next to one another unfortunately. Adjacent to the older play area will be the outdoor gym, street snooker, skate park, table tennis tables, and then wrapping around the sports hall element will be the petanque courts and MUGA. New pedestrian routes connect these spaces to the wider area, and King George V Field, and there will be opportunities for low level planting and informal seating around them. Further details of the layout, equipment and finishes to these external areas will be secured through condition.

5.6 The detailed design of the skate park has not been carried out yet, the applicant advises this would be done by a specialist, so this detail, along with details of the equipment in other areas, external finishes and fencing (where required) will be secured by condition.

5.7 An indicative hard landscaping and planting strategy has been provided, however precise details of materials, species, planting sizes, locations and a maintenance strategy will be secured through condition. It will be important that the landscaping proposed around the edges of the junior play area at the front is robust, so that this is well separated and enclosed from the adjacent car park area, and the use of high quality and permeable surfacing materials throughout will be key to creating an attractive landscape setting.

5.8 The more informal and natural approach that is proposed for King George V Field will enhance the open space both visually, and also from an ecological and biodiversity perspective.

5.9 Since submission of the application some further changes to the landscape strategy have been presented, these changes are in response to suggestions made by the Council's Urban Design consultant. Whilst these are indicative only these changes relate to the landscaped area in front of the main entrance, the building frontage along King George V Road and the area adjacent to the MUGA. The suggested changes are submitted to improve the public realm. Along King George V Road it is proposed to enhance this space by incorporating raised planters with integrated seating. This will activate this frontage, provide opportunities for informal seating and is a more robust approach to landscaping. The arrival space along Chiltern Avenue is to be enhanced with more formal landscaping; identifying an area for a piece of public art to be installed and the main entrance route would be better defined by a line of trees. Adjacent to the MUGA and skate park a new footpath is proposed, this will benefit from a landscaped buffer strip and a corridor of trees that will help define this pedestrian route and it make it more inviting for users. These indicative changes are considered to enhance the landscape strategy, and further details will be secured through condition.

5.10 The landscaping strategy is found to be well considered, will create attractive external spaces, enhance the public realm and the internal street concept provides a strong connection between the building and its landscaped setting. The loss of existing landscaping and trees is not ideal, however the wider benefits to the local community that this proposal will deliver do outweigh any harm, and a comprehensive landscape strategy supports the proposal.

Trees:

5.11 Supporting the application is an Arboricultural Report (including tree survey) and Arboricultural Impact Assessment. These have been revised in the light of the Tree Officer's initial comments, and no objection is raised subject to the submitted Tree Protection Plan (TPP) being fully adhered to, which will be secured through condition. The Tree Officer is satisfied that the TPP, if adhered to, will safeguard the important group of oaks and birches within the existing open space. Whilst it is unfortunate that the building footprint will result in the loss of some mature specimens, the landscape strategy does make provision for new tree planting which will increase the tree numbers overall. Clearly these newly planted trees will take time to establish, but long-term there will be a greater number of trees on the site. No objection is raised by the Council's Tree Officer.

Residential Amenity

6.1 Policy GC3 requires development proposals seek to protect the amenities enjoyed by the occupants of existing and adjoining neighbouring properties. Policy GC7 states that noise generating development will not be permitted where noise which would result from that development would cause unacceptable disturbance.

6.2 The proposed building would essentially replace existing D1/D2 facilities on site so surrounding residential properties will be accustomed to the noise already associated with these. The replacement building

would be situated closer to Chiltern Avenue dwellings than the existing, and those properties opposite would be closest to the building. The proposed built form would be moved further away from residential boundaries shared with Woodside Road properties, therefore this relationship would be improved. With regard to the existing residential properties opposite, on Chiltern Avenue the proposed building would be higher and positioned further forward (in part) than existing buildings. Whilst existing outlook conditions from these properties will be subject to change, however the building design however includes a footprint that is stepped away from Chiltern Avenue, such that the separation increases as you move across the site. Given the distances involved, that the relationship between residential dwellings and the site has a well-used road (Chiltern Avenue) in between, and the fact that the site is already in use for a range of D1/D2 uses, it is considered that the scheme would not result in significant levels of harm to residential amenity such as to justify a refusal of planning permission.

6.3 The proposal is supported by a noise assessment, air quality assessment and lighting strategy. None of these give rise to concerns that there would be unacceptable impacts on surrounding residential amenity. No objection has been raised by the Council's Environmental Health Officer (EHO), subject to conditions.

6.4 Conditions are recommended that will mitigate potential adverse impacts and further safeguard surrounding residential amenity, both during construction and once in operation.

6.5 The external play and sports facilities are essentially replacing existing facilities on the site, though there will be some re-arranging of these around the site. Again, it is considered that surrounding dwellings will be familiar with the noise associated with these. The skate park and MUGA are proposed to be moved further north within the site, but this still retains generous separation distances to boundaries shared with Woodside Road properties. As a safeguard the EHO has recommended a condition requiring the operator to submit a Noise Management Plan, relating specifically to these external facilities.

6.6 It is inevitable that for a development of this size there would be expected to be some additional impact on the surrounding area during the construction phase, this is a consequence of large construction projects in built up areas. Such impacts are temporary and would not be a justifiable planning reason to resist such a development. In this case conditions are recommended to mitigate any impacts associated with construction related activities; a Construction Traffic and Logistics Management Plan is required, which shall set out mitigation measures such as management and timing of deliveries, mud, dust and noise prevention measures. A separate condition will restrict the hours of operation during demolition and construction.

6.7 Potential impact on amenity arising from increased traffic generation has been considered, and the comments of the Highway Authority are noted. On the basis that no objection is raised on the grounds of increased traffic flows, or vehicle trips, and that parking levels remain broadly similar to the existing site it is not considered the proposed scheme could be resisted on the grounds of any harm to residential amenities from increased traffic generation.

Accessibility, Parking and Highway Impacts

7.1 The NPPF directs significant developments to locations which are sustainable, limiting the need to travel and offering a genuine choice of transport modes. The application site is in a sustainable location, and is well served by public transport. Paragraph 109 of the NPPF says that development "should only be prevented or refused on highway grounds of there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

7.2 Core Strategy policy CS25 says that new development should not adversely impact on the transport network, and that there should be an assessment of the impact new development can have on the transport network.

7.3 Core Strategy policy CS26 refers to, the need for new development to make suitable connections to existing infrastructure, that new development is appropriately located to the road network, an expectation that appropriate vehicle and cycle parking and servicing arrangements will be provided, the need to ensure that vehicular traffic generated by future development does not materially increase traffic problems (i.e. congestion). Development should secure the implementation of travel plans and parking management plans where appropriate.

7.4 Local Plan policy TR2 states that satisfactory access onto the existing network should be provided, and that the highway network in the vicinity of the development site should have the capacity to accept the additional flow of traffic generated. Off-street vehicle parking should accord with policy TR11 and the standards set out in TR16. Policy TR15 refers to the design standards for car parks, and this is reinforced through policy GC1, Policy GC14 set out the need for suitable disabled parking provision.

7.5 A Transport Assessment (TA) supports the application, and this has looked at the existing site and surrounding transport network with traffic and parking surveys undertaken, and it has considered the proposal on the basis of existing conditions, and also in terms of future access, parking, trip generation, effects on local transport network, servicing and refuse collection. In addition a Framework Travel Plan has been submitted, this sets out a range of measures to reduce car dependency travel to the site, and encourage more sustainable modes.

7.6 Buckinghamshire County Council Highway Authority provided an interim response initially, and the applicant subsequently submitted further details providing further clarity, a Technical Note was submitted on 18 January 2019. The Technical Note addresses matters relating to minibus and coach parking, electric vehicle charging provision and car parking availability during construction, all of these matters were raised initially by the Highway Authority as requiring further clarification.

7.7 A comprehensive Transport Assessment has been submitted in support of this application and this again has been reviewed by the Highway Authority, and their response is set out in detail above. There is not significant change proposed to the existing access arrangements. The principal points of access will continue to be from Chiltern Avenue, as existing, and the existing car park access from King George V Road will be stopped up, therefore this will have the effect of reducing the number of vehicles turning into King George V Road. Pedestrian access will be improved as users of the facility will no longer have to travel through and across the car park, a more legible access will be provided.

7.8 Given the scale of the proposed development a Construction Traffic Management Plan (CMP) would need to be prepared and approved by the Local Planning Authority in consultation with the Highway Authority to mitigate the associated impacts. It is noted that this is not only recommended by the Highway Authority but also by the Strategic Environmental Health Team in terms of also addressing potential noise and disturbance, and this can be secured by condition.

Parking:

7.9 The existing buildings are served by 233 parking spaces. Opposite the site to the south, the Council offices car park provides an overflow car parking facility for 115 vehicles outside of restricted hours. This is well established and it is proposed that this relationship is maintained, so that at times of increased demand the users of the proposed facility can continue to utilise this overspill parking. Furthermore, within easy walking distance of the site is the recently extended Amersham railway station multi-storey car park, with significantly increased capacity for 1182 cars. Also within walking distance of the site are existing town centre car parks (Sycamore Road and Woodside Road) that could also be used by visitors, if required. It is of note that during construction of the extended multi-storey car park 147 permits for long-stay commuter parking

had to be reallocated to other car parks across Amersham. Due to the site's proximity to Amersham railway station it has reasonably been assumed that the majority of these vehicles displaced during construction will have been parking across the three on-site car parks, and this additional demand will have been reflected in the parking surveys undertaken in support of this application. Now the multi-storey has opened this displaced long-stay car parking will have been required to relocate, and this will have a significant positive effect in terms of reducing car park demand across the three on-site car parks.

7.10 Traffic and parking surveys were undertaken to inform the development, further details of these are set out in the TA. It can be confirmed that all surveys were undertaken during school term time and therefore provide a valid representation of highway and parking conditions.

7.11 The development proposes 221 spaces across a single consolidated car park area, of this number 11 spaces will be dedicated for disabled users and 10 will be electric vehicle charging bays. In addition a vehicle drop-off area will be provided, 8 motorcycle spaces, as well as a minibus space. Notwithstanding the parking standards set out in policy TR16 the quantum of spaces proposed has been informed by the existing use of the three on-site spaces as surveyed, as well as trip generation data (derived from TRICS based calculations), and this approach is accepted as valid by the Highway Authority.

7.12 Parking survey results obtained demonstrate that all three car parks across the existing site have spare capacity each day between 07:00am and 18:00pm. The maximum parking occupancy was observed to take place on a Thursday at 11:00am, where 191 spaces were taken, equating to a parking occupancy of 82%, with 42 spare spaces available. Results obtained further demonstrate, as one might expect, a significant reduction in parking demand outside of typical working hours (09:00am - 17:00am). Car parking usage across the weekend is significantly lower with maximum demand peaking at 48% (111 spaces in use) on a Saturday and 42% (98 spaces in use) on a Sunday.

7.13 The Highway Authority has not raised concerns in respect of the traffic and parking survey data obtained. The impacts of the predicted trip generations on both the site accesses and the junctions in the vicinity of the site would not be considered to have an unacceptable impact on highway safety and convenience. It has been identified that there is spare parking capacity available at all times across the three on-site car parks. Additionally there is the ability to continue to use the Council offices car park outside of restricted times (i.e. at evenings and weekends) when demand from the proposed facility is expected to be busier, which coincides with the times when ample space exists. Another notable factor that should be given weight is the increased parking capacity now provided for in the recently extended Amersham multi-storey car park. The report to Planning Committee for this application (CH/2016/2081/RC) justified need on the grounds "that between 339 and 520 additional parking spaces would be needed at the multi-storey car park over the next 20 years to ensure it operates at 85% capacity and prevent rail as a form of travel being restricted in the long term". With 1182 spaces now on site this provides additional long term parking capacity for Amersham-on-the Hill, and indicates that due to the level of provision now on site there will be spare capacity over the next 20 years, should that capacity be needed by other nearby uses such as the proposed facility. The nearby car parks referred to will be able to accommodate overspill parking demand arising from the proposed facility.

7.14 Roads within the vicinity of the site are regulated at certain times by existing parking controls, these controls will prevent overspill parking on the highway, in the vicinity of the site.

7.15 BCC parking guidance does state that "Safe and secure cycle parking is an important component in encouraging cycling. For new developments, BCC aims to ensure that developers make efficient use of land and promote sustainable travel choices." Given the sustainable location of the site and the opportunity to encourage people to make journeys by bicycle instead of the private car, it is considered that this also

supports a higher provision of cycle parking at the site. The proposed provision of 50 cycle parking spaces is double the amount required, and this is welcomed.

7.16 Coach parking was initially proposed as two different options. The option to provide this along King George V Road was not supported by the Highway Authority, with their preference being for an on-site solution. As a result the on-site solution has been advanced, and this will involve coaches entering the site, turning and manoeuvring within the loading area north of the building, and using parking spaces that have been temporarily marked out by cones, to allow for embarking and disembarking of coaches. This arrangement is preferred by the Highway Authority owing to their concerns that coaches embarking and disembarking within the loading area, presents a potential pedestrian conflict. This is supported by the Highway Authority, who request that this be managed through a Parking Management Plan, with bays taken out of service at times when planned coaches are expected to allow for coach parking off the highway. On that final point it is important to recognise that coaches will be expected during weekday daytime (i.e. school bookings), and the wider use of the proposed facility is expected to be at its greatest demand across weekday evenings and weekends, therefore general parking demand is expected to be lower when coaches would be visiting the site. No objections are therefore raised in relation to coach parking provision.

7.17 There is not expected to be a material increase in the number of vehicles and servicing trips generated by the site as the proposals are largely a re-provision of existing uses on the site. Servicing and delivery access will continue from Chiltern Avenue, and within the site a dedicated servicing/loading area is proposed, which represents an improvement as the existing uses on site have no formal area to accommodate delivery and servicing vehicles. The Highway Authority is satisfied that the swept paths submitted demonstrate an acceptable layout for access and manoeuvring purposes, and are satisfied that this can be managed through a Car Park and Vehicle Management Plan.

7.18 Accident data has been considered over a five year period, up until July 2018, this was to determine whether or not there are any road safety issues that are material to the proposal. Inspections of incidents show that there were just five accidents within the five year period. All appear to have occurred as a consequence of human error, rather than highway design, no two incidents occurred in the same location either. In summary, due to the low number of incidents, and the other factors referred to there are not considered to be any road safety issues pertinent to the proposed application

7.19 It has been demonstrated that the proposal is not in conflict with paragraph 109 of the NPPF; the Highway Authority does not consider this proposal is likely to result in an unacceptable impact on highway safety, nor will the resulting impacts on the road network be severe. Overall, it can be concluded that the proposal will be acceptable in regards to access, highway safety, parking and servicing, subject to the imposition of appropriate and necessary conditions.

Air Quality

8.1 Paragraph 181 of the NPPF states that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMA) and Clean Air Zones. Opportunities to improve air quality and or mitigate impacts should be identified.

8.2 The application site is not within a designated AQMA. However, an Air Quality Assessment does support the application, and this identifies there is a potential for impacts on local air quality during the construction phase, as a result of dust and particle emissions. The impacts arising from the operation of the proposed development on local pollutant concentrations is considered to be negligible, with no mitigation found to be necessary.

8.3 The District Strategic Environment Team agrees with findings of the assessment, as such there are no comments arising relating to the methodology. It is recommended that a Construction Environmental Management Plan be secured through condition; this Plan would be expected to provide details of dust and particulate mitigation during construction, which would mitigate the potential impact on air quality during construction.

Drainage / Flood Risk

9.1 The NPPF requires the planning system to take full account of flood risk and all plans should apply a sequential, risk-based approach to the location of development and ensure that flood risk is not increased elsewhere. Core Strategy policy CS4 requires regard to be had to sustainable drainage and reducing the risk of flooding in appropriate circumstances.

9.2 The site is not within an identified flood risk area, it is designated by the Environment Agency as Flood Zone 1 (area of lowest risk). The application is supported by a Flood Risk Assessment and Drainage Strategy. It should be noted that no objection has been raised by the Environment Agency on flood risk grounds. Due its location within the lowest area of flood risk this then satisfies the sequential test approach to site selection, as outlined in the NPPF. Strategic Flood Risk Assessment (SFRA) maps indicate the site is located in an area of low to high risk of surface water flooding and a surface water overland flow path passes along King George V Road, and through the southern part of the King George V Field. To safeguard the proposed building from this potential flood risk the threshold levels of fire escapes/entrances along King George V Road have been set above existing ground levels and graded away from the building. The risk of groundwater flooding was identified as low. Based on Thames Water advice the risk of sewer flooding to the site is also considered to be low.

9.3 Bucks County Council, as the Lead Local Flood Authority, initially raised an objection on grounds relating to surface water drainage, and the proposed inclusion of deep borehole soakaways. They identified that part of the development site is at risk of surface water flooding, and wanted the applicant to demonstrate that the proposals do not obstruct the flow of the overland surface water route. It was noted that the existing surface water drainage strategy for the site utilises deep borehole soakaways, and that the proposed development will modestly increase the impermeable area of the site, which in turn will increase the volume of surface water runoff generated from the site. Due to this increase in impermeable area then mitigation will have to be provided. The initial drainage strategy was not supported, and greater consideration of a range of sustainable drainage measures (SuDS) was required, as well as further justification for the drainage strategy in respect of deep bore soakaways

9.4 Subsequent to the receipt of these comments, the applicant has submitted revised and additional information to address these concerns, and there have been subsequent discussions between parties to resolve matters. The Lead Local Flood Authority has confirmed in their further response dated 31.01.19 that they are satisfied and remove their objection, subject to recommended conditions.

Designing to reduce crime

10.1 Local Plan policy GC1 and Core Strategy policy CS30 make it clear that development should be designed and laid out to reduce the opportunity for crime, and should be aimed at improving community safety. The supporting DAS confirms that crime prevention advice was sought at pre-application stage. The Crime Prevention Advisor (CPA) was consulted about this application, and initially questioned some of the access arrangements internally, as well as the lack of opportunities for natural surveillance of external facilities. Details pertaining to the internal layout of the building and how access within the building is managed/controlled are not a material planning consideration. Notwithstanding this the applicant has subsequently provided further clarification which has addressed many of the points raised by the CPA, and it has been confirmed that both play areas will include areas for young and older play to prevent parental

guardianship from being absent. The CPA has been requested that a more detailed security strategy for the building be provided once there is a known operator, and that this be secured through a Security Management Plan condition. This shall also include details of CCTV provision to address comments made relating to lack of surveillance. Subject to an appropriately worded condition being secured there would be no concerns.

Sustainability

11.1 At the heart of the NPPF is a presumption in favour of sustainable development, and to go some way to achieving this development shall mitigate and adapt to climate change, and support a reduction in carbon emissions.

11.2 Core Strategy Policy CS4 seeks to ensure that development is sustainable, and that it helps contribute towards national targets to reduce overall CO2 emissions. It refers to a range of 'Sustainability Principles' which this can be judged against. Policy CS5 requires that for new development of more than 1000sqm of non-residential floorspace at least 10% of the energy requirements are from decentralised and renewable or low carbon sources. Guidance is also provided within the Sustainable Construction and Renewable Energy SPD (2015).

11.3 Supporting the application is the Sustainability and Energy Statement, setting out the energy strategy proposed for the building. This strategy has been informed by the Council's SPD. The energy strategy for the building is based on the hierarchy of, first delivering a building that is energy efficient, it then considers the building fabric from the perspective of saving energy, and finally it considers what energy efficient services and renewable and low and zero carbon technologies might be practical and feasible.

11.4 The building form and orientation have been designed very much with consideration for the impacts these can have on energy consumption. The design, proportion of glass and the location of the pool area glazing maximise solar gain.

11.5 The building fabric has been selected with a view to saving energy, making the building more energy efficient, which impacts on the size and requirement of the heating systems. The proposed fabric 'U' values will better the current standards. The glazed areas are also beneficial from the point of view that these will maximise the amount of natural light into the building and reduce peak cooling loads.

11.6 Integral to the energy strategy is the appropriate selection of energy efficient systems, services and equipment. For example, the building will have high efficiency condensing boilers which will provide an energy efficient solution to the relatively low heat load of a building of this nature. The use of a ventilation heat recovery system as well will also help to reduce heat loss, which can be a factor for large open swimming pool areas.

11.7 The energy strategy has considered the feasibility of a range of renewable technologies, along with zero and low carbon technologies, mindful of the requirements of the NPPF and policies CS4 and CS5. A number of technologies were considered, but subsequently discounted as either being impractical, unsuitable for this location or commercially non-viable, and these are set out in the submitted Sustainability and Energy Statement. It has been judged that a combination of Air Source Heat Pumps and Water Source Heat Pumps would best suit the requirements of a building of this nature, which it has been confirmed is in excess of the 10% policy requirement of energy from renewable or low carbon technologies. Furthermore, the use of Photovoltaics (PV) is identified as being possible on the roof of the sports hall element, and at this stage the viability of this is still being considered. It is therefore recommended that a condition be attached to any permission requiring the submission of a feasibility study for the use of PV panels, and if found to be feasible further details of the amount and location of PV panels to be provided on the building.

11.8 The proposed energy strategy will represent a significant enhancement, and will significantly reduce the carbon footprint when compared to the existing Chiltern Pools building, which is considered to be highly inefficient. The replacement building will be materially more energy efficient, and would achieve a BREEAM rating of 'Very Good'. Overall the strategy would be in line with the requirements of the NPPF, Core Strategy policies, and the Council's SPD.

11.9 Finally it is also relevant to note that the proposed building is in a highly sustainable location, and the intention is that building materials will be locally sourced (where possible), which will further reduce the development's carbon footprint.

Healthy Communities

12.1 National planning policy states that planning decisions should aim to achieve healthy places which enable and support healthy lifestyles, especially where this would address well-being needs. Planning decisions should plan positively for the provision of and use of shared spaces, community facilities, sports facilities and open space, and support development that improves health and well-being.

12.2 The Core Strategy supports healthy, active and inclusive communities, and policy CS28 supports the retention of existing sports and recreation facilities, as well as their improvements and new facilities where need is identified, recognising their vital role in enhancing people's quality of life and for promoting healthy living and social inclusion. This is entirely consistent with the NPPF which in promoting healthy and safe communities seeks places that promote social interaction, and enable and support healthy lifestyles.

12.3 The Council recognises the positive impact that increased participation in sport can have on health and well-being as well as encouraging social interaction, and the provision of enhanced modern sports and community facilities on this site would be supportive of policy aims. This proposal represents a long-term investment into the well-being of the local community, and is supportive of Core Strategy policies that seek to achieve greater accessibility, increased participation and greater opportunities for physical activity, and to improve levels of performance in sport and activity. The Council estimates the proposed facility would generate considerable improvements in participation, including an 85% increase in swimming lessons per week, capacity for up to 4,400 health and fitness members, with up to 800,000 users of the facility per annum. Such improvements in participation would not be possible with the current, ageing buildings on site.

12.4 The Indoor Sport & Leisure Facilities Strategy (IS&LFs) for Chiltern District Council (2016) has assessed need and considers what facilities will be needed now, as well as in the future to support growth. The strategy aims to:-

- develop and improve facilities that encourage active lifestyles;
- provide high quality indoor sports facilities, that support increased participation

12.5 The proposal would contribute very significantly to these aims and objectives, providing a high quality, modern facility to be enjoyed by residents in the local and wider area, and will make effective use of the site. Strategically the delivery of this facility would assist the Council in improving the health and well-being of its residents and facilitate a healthier, more active population, and it would also be supportive of national Government aims to increase participation levels in physical activity. The proposal benefits from Sport England support, who comment that the proposal will "significantly increase the sporting and recreational offer currently provided", and note that this will support the Council's IS&LFS.

12.6 There would also be a positive economic impact in terms of employment opportunities, with it estimated that approximately 55 full-time employment opportunities would be created for the leisure and sports uses alone. This figure would increase further when the wider community facilities are accounted for.

Noise

13.1 Core Strategy policy CS4 seeks minimal disruption from new development in terms of noise pollution upon the wider environment. Saved Local Plan policy GC7 states that noise-generating development will not be permitted where the noise levels and/or the noise characteristics which would result from that development would cause an unacceptable degree of disturbance to the occupants of any residential or other noise-sensitive development in the vicinity of the application site. Noise includes vibrations. Policy GC8 requires that noise levels and characteristics be assessed as part of new noise generating development.

13.2 The site is currently in use as a leisure facility, and other uses. This has been established for a significant period of time, therefore nearby residential properties will be familiar with the noise associated. However, the proposal would result in a larger building, the re-location of the building and car park, as well as an expansion of uses on site. An Environmental Noise Assessment supports the application, within this are the results of noise surveys undertaken to establish the existing noise conditions and likely noise generated from the proposed development, and use of the site. The report makes some recommendation to help safeguard nearby residential amenity. This assessment has been reviewed by the Council's Environmental Health Officer, who recommends conditions to mitigate potential noise impacts.

13.3 Recommended conditions include a restriction on hours of operation on site during demolition and construction, a requirement for approval of a Construction Environmental Management Plan (CEMP) and a Noise Management Plan (NMP).

Ecology

14.1 The NPPF requires that planning decisions contribute to and enhance the natural and local environment. Protection should be given to sites of biodiversity value and decisions should minimise impacts on and provide net gains for biodiversity.

14.2 Core Strategy policy CS24 aims to conserve and enhance biodiversity within the District. Proposals should protect biodiversity, and if possible, improve biodiversity.

14.3 The application is supported by an Ecological Impact Assessment. The Assessment details the ecological surveys and desk studies undertaken in respect of protected species. It notes that the site is dominated by amenity grassland, areas of hardstanding and a collection of buildings, which are considered to be of limited ecological importance. There are no statutory designations on, or close to the site. The three managed hedgerows on site are considered to qualify as Habitats of Principal Importance, though these are of limited ecological importance. The on-site buildings, trees and hedgerows are considered suitable for nesting birds, therefore if vegetation clearance and/or building demolition is required within the period March to mid-September (inclusive), a check for nesting birds must be conducted by a suitably experienced ecologist, before clearance/demolition commences. This is addressed through an Informative, as can the provision of new on-site hedgerows which can help compensate for the loss of any existing on-site nesting habitat.

14.4 No further survey work is recommended in respect of great crested newts, reptiles, birds, badgers, otters, or bats.

14.5 The Council's Ecology consultant has reviewed the submitted information, and is satisfied that potential presence of protected species and habitats has been given due consideration. The proposed development area on the whole largely comprises habitats of low ecological value. Conditions are recommended in respect of securing ecological enhancements, a wildlife sensitive lighting scheme and construction safeguards.

14.6 Ecological mitigation measures are also set out in the submitted Design & Access Statement. It is proposed that new hedgerows will be planted across the site, areas within King George V Field will be encouraged to be areas of taller grass and wildflower meadows, habitat creation will be encouraged by introducing dead wood into parts of the site, bat and bird boxes will also be provided. The provision of these measures will satisfy policy CS24 and further details will be secured through condition.

Land Contamination

15.1 Paragraph 178 of the NPPF states that a site should be suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. Planning decisions should take account of any proposals for mitigation, including land remediation, following adequate site investigations.

15.2 Core Strategy policy CS4, and saved Local Plan policy GC9 support the remediation of contaminated land.

15.3 The application is supported by a Phase I Environmental Site Assessment. This identifies the site's former use as a farm and identifies some potential for made ground deposits. A more intrusive, Phase II assessment is recommended, which has been carried out. This recommends that additional soil sampling is undertaken due the limited analysis undertaken to date.

15.4 Having reviewed the supporting Phase I / Phase II assessments the Environmental Health Officer has recommended a condition be secured, requiring (following demolition of buildings) that a further site investigation scheme be carried out, and based on the results of this an options appraisal and remediation strategy (if necessary). No objection has been raised, subject to the recommended condition.

Other matters

Lighting:

16.1 As set out in the NPPF (paragraph 180) planning decisions should limit the impact from artificial light for amenity reasons. Core Strategy policy CS4 says that regard should be had to minimising light pollution and saved Local Plan policy R6 does not support the use of floodlighting for outdoor sports in the already built up areas.

16.2 A lighting strategy supports the proposal, this has carried out modelling to predict the light spread from the new sources of luminance. Lighting will be from 4m high lighting posts spread across the site, and it has been demonstrated that this concentrates the illumination where it is required most, in the car park area. All lighting will use a narrow spectrum gauge, and will be directed towards the ground. Consequently there will be minimal light spread to the surrounding area, King George V open space, or nearby housing. Though this was raised as a concern in some of the representations received the modelling results do not raise a concern in respect of the glazed area serving the swimming pool, and no concerns are raised by the Environmental Health Officer. Given the nature of the location, the presence of existing street lighting along Chiltern Avenue and King George V Road it is not considered that this proposal would result in unacceptable light pollution. This is an urban area that is already well served by ambient/street lighting.

Accessibility:

16.3 The NPPF, Core Strategy policies CS4, CS20 and saved Local Plan policy GC14 have been duly considered with the aim of making this a well designed and inviting place for users. Accessibility has been an integral part of this.

16.4 The external areas, internal layout and main routes to the building have been designed with a view to being accessible and to all users and inclusive. Dedicated disabled parking bays (x12) are provided for close to

the main entrance, also provided is a dedicated set-down and drop-off point. Level and unhindered access will be provided from these areas to the main entrance. Level access is also provided from the car park area, and the main pedestrian route to the main entrance. Highways officers have requested that the stepped pedestrian access point on Chiltern Avenue, which is line with the existing zebra crossing be amended to be fully wheelchair accessible. This minor change can be dealt with through condition with the submission of revised details.

16.5 Internally the building has been designed with consideration for all user groups in order to ensure the facilities are fully inclusive. Level access is provided into the building, and throughout the ground floor. Upper and lower floors are served by wheelchair accessible lifts, including sports wheelchair accessible lifts to lower ground floor (i.e. for the sports hall). All changing facilities have been designed to comply with Accessible Sports Facilities recommendations, and the swimming pool is provided with a means of access for wheelchair users. The first floor nursery is served by two lifts, providing access for wheelchair users and buggies. Due to the site level changes along King George V Road it has not been possible to provide fully step free access along this side of the building, however the main entrance does achieve this.

16.6 In summary there would be no concerns relating to access. The building and external areas have been designed to give suitable access for all users, and the internal environment achieves this also with level and step free access. The design and layout appropriately responds to CABE's comments on making this an inclusive environment, and it is noted that Building Control do consider the proposal will comply with Part M of the Building Regulations.

Waste Management:

16.7 The waste strategy is addressed in the submitted DAS. In summary, the main service area is located on the north eastern side of the building, and will be accessed via Chiltern Avenue, through the car park area. This area is where bin storage is accommodated, and the main servicing of the plant room and filtration chemical stores will take place. Highways have not raised any concerns to the access arrangements. A condition is recommended requiring some form of fencing/enclosure so that the public do not have free access to this area.

Conclusions

17.1 The application has been assessed against the NPPF, Chiltern District Local Plan and Chiltern District Core Strategy, and fundamental to this has been consideration of whether the proposals deliver sustainable development. Fundamentally the application is to replace existing D1/D2 uses and facilities on site, that are accommodated in buildings which are ageing and no longer cost effective to continue to invest in and maintain. It is proposed to provide replacement and much enhanced D1/D2 uses on the site, the enhancement in facility and in the range of uses and activities that can be accommodated on the site will allow for greater participation, and encourage people to become more active, which will be beneficial to people's health and well-being. Council feasibility studies undertaken identified that there would be a need to provide new leisure facilities to meet future growth, and there was evidence of a shortfall in multi-activity spaces in the Amersham area. Due to this identified need and in recognition of the ageing facilities/buildings on site the Council, in conjunction with stakeholders and the local community developed these proposals that will allow for co-location, multi-use and encourage social interaction.

17.2 There is conflict with Local Plan policies that do not support the change of use of designated public open space, notwithstanding this NPPF exception tests for developing on existing open space are considered to be met, due to the betterment in terms of sports provision and the benefits of the proposed alternative provision. The principle of the site's re-development for the replacement of D1/D2 uses with an improved and enhanced facility is not therefore considered to be objectionable. Improving and enhancing facilities such as this is consistent with local and national policy.

17.3 The Highway Authority have no objection to the proposed development, and the level of parking provision is considered appropriate in this highly sustainable location, located close to Amersham railway station and within easy walking distance of other public car parks in Amersham. The NPPF states that development should only be prevented or refused on highway grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this instance the proposed development is not considered to result in unacceptable or severe impacts, and will promote sustainable travel firstly due to its sustainable location, but also owing to the inclusion of adequate cycle parking, electronic vehicle charging provision, and the securing of a Travel Plan

17.4 The proposal is of modern design and the siting, scale and mass of the proposed building development will represent a marked change in the streetscene. This is undoubtedly a large building, but there are other notable large buildings further south along Chiltern Avenue, including the Council offices on the opposite side of King George V Road. The enhancement in facilities to be provided on site for the benefit of the local community requires a built form that is larger than existing buildings. The design has taken on board the need to articulate the building and break down the mass. The scale and heights respect the adjacent office development on the opposite side of King George V Road. A detailed landscaping scheme has been advanced, which will be required to be provided by condition to assist in the appearance in the street scene and contributing positively to the public realm.

17.5 It is noted that objectors have raised objection to the proposal on a wide range of planning issues, all of which have been covered. Some have questioned the costs involved, they do not support the land swap, and question what is planned for the 'future development zone' (as illustrated on submitted plans). These are not material planning considerations that can be afforded weight in the determination of the current application, and it is important to re-iterate the 'future development zone' is outside of the application site and not part of the application.

17.6 This is a sustainable location, close to Amersham-on-the Hill and is an appropriate location, improving on the existing facilities on site. It is considered that a fair balance would be struck between the interests of the community and the human rights of individuals in the event of planning permission being granted in this instance, subject to conditions as set out.

Working with the applicant

In accordance with Section 4 National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant / Agent and has focused on seeking solutions to the issues arising from the development proposal.

Chiltern District Council worked with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service;
- updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions.

In this case, Chiltern District Council has considered the details as submitted which were considered acceptable, following the pre-application that was undertaken with the applicant.

The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

Human Rights

The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Resolve to recommend Council to approve own development

Subject to the following conditions:-

1 C108A General Time Limit

2 Prior to the commencement of development (save for demolition) (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a detailed scheme of ecological enhancements (including a timetable for implementation of the scheme) shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include but not be limited to details of native landscape planting, including species of known benefit to wildlife, and provision of artificial roost features, including bird and bat boxes, details of the ecological mitigation measures included within the submitted Design & Access Statement. The ecological enhancements shall be implemented fully in accordance with the approved details and timescales thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of improving biodiversity in accordance with NPPF and policy C24 of the Chiltern District Core Strategy and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

3 Prior to first occupation, a "lighting design strategy for biodiversity" for buildings, features or areas to be lit shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for wildlife and that are likely to cause disturbance in or around breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging;

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed fully in accordance with the specifications and locations set out in the approved strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: The prevention of disturbance to species within the site during operation in accordance with policy 24 of the Chiltern District Core Strategy.

4 Prior to commencement of development (including demolition, ground works, vegetation clearance) a Construction Environmental Management Plan (CEMP: Biodiversity) shall be 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" including off-site receptors;
- 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; and
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and fully implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: The prevention of harm to species and habitats within and outside the site during construction in accordance with Core Strategy Policy 24: Biodiversity of the Chiltern District Core Strategy.

5 Prior to the commencement of works above ground level a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority including details, of proposed planting heights, spacing and species. The submitted details shall include provision for replacement hedgerows, trees and revised landscaping details for the frontage treatment of King George V Road, Chiltern Avenue as well as the pedestrian route to the north of the building hereby approved.

The development shall be carried out fully in accordance with the approved details thereafter, in accordance with an agreed timescale and shall be fully maintained in accordance with approved maintenance and management details, unless otherwise agreed in writing by the Local Planning Authority.

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 occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain the visual amenity of the area.

6 Prior to the commencement of works above ground level a hard landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority including specification, of all finishing materials to be used in any hardsurfacing within the application site, including details of their permeable qualities. Details of any signboards and external seating shall also be provided. The development shall be carried out fully in accordance with the approved details thereafter and prior to first occupation of the building hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To maintain the visual amenity of the area and in the interests of sustainable drainage.

7 Prior to installation on site further details of the children's play areas, outdoor gym and skate park shall be submitted to and approved in writing by the Local Planning Authority, such details shall include but not be limited to the following:-

- a) Layout details
- b) Details of equipment
- c) Hardsurfacing
- d) Fencing or other means of enclosure

Thereafter the development shall be carried out and maintained fully in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure appropriate children's play space provision and in the interests of the visual amenities of the area

8 Prior to first occupation of the development, or other such timescale as agreed in writing by the Local Planning Authority the existing vehicle access onto King George V Road shall be permanently closed and stopped up in general accordance with the approved plans.

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

9 Prior to first occupation of the development hereby approved an amended scheme for cycle parking and pedestrian access shall be submitted to and approved in writing by the Local Planning Authority following consultation with the Highway Authority. The amended scheme shall include and demonstrate covered and lighting provision for the proposed cycle parking and appropriate level pedestrian access from Chiltern Avenue for all users of the highway. The approved scheme shall be fully implemented in accordance with the approved details prior to first occupation of the development and shall thereafter be permanently maintained.

Reason: In the interests of pedestrian and highway safety.

10 Prior to commencement of the development a Construction Traffic and Logistics Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Plan shall include details of (but not be limited to the following):

- Details of construction phasing, including timescales and hours;
- Details of where public parking lost during construction will take place;
- Details of public notices to be displayed in advance of works;
- Construction access;
- Management and timing of deliveries;
- Routing of construction traffic;
- Vehicle parking for site operatives and visitors;
- Loading / off-loading and turning areas;
- Details of site construction compound, siting and layout;
- Storage of materials;
- Precautions to prevent the deposit of mud and debris on the adjacent highway;
- Proposed mitigation for dust;
- Proposed mitigation for noise;
- Swept path analysis of construction vehicles required to access the site for each phase of development

The development hereby permitted shall thereafter be carried out fully in accordance with the approved Construction Management Plan, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise danger and inconvenience to highway users and to mitigate impacts on residential amenity.

11 Prior to first occupation of the development a Full Travel Plan and Car Parking and Vehicle Management Plan (including for planned coach and mini bus drop off/collection) shall be submitted to and agreed in writing by the Local Planning Authority. The submitted Travel Plan shall be in general accordance with the 'Buckinghamshire County Council Travel Plan Good Practice Guidance'.

The approved Travel Plan and Car Parking and Vehicle Management Plan shall be implemented in full upon occupation of the development and subject to annual review thereafter (or to be implemented within a timescale otherwise agreed in writing by the Local Planning Authority).

Reason: In order to influence modal choice and to reduce single occupancy private car journeys and comply with National and Local Transport Policy, and to ensure safe and suitable access for embarking and disembarking from coaches and minibuses.

12 Prior to first occupation of the development details of servicing arrangements for deliveries to and from the site including:

- a) Specifications for parking and turning for service vehicles
- b) Specifications of types of vehicles and hours of operation

shall be submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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.

13 The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out fully in accordance with the approved details prior to first occupation of the development hereby permitted and that area shall not thereafter 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.

14 Prior to first occupation of the development hereby approved cycle parking provision on site shall be fully in accordance with the approved details. The quantum of cycle parking shall thereafter be permanently maintained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to influence modal choice and to reduce single occupancy private car journeys and comply with national and local transport policy.

15 Following the demolition of the library, the youth centre, Drake Hall and Chiltern Pools buildings and prior to the commencement of each relevant phase of the development (as described in the submitted phasing plan) approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- i) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.

ii) A site investigation scheme, based on (i) 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.

iii) The site investigation results and the detailed risk assessment (ii) 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.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) 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.

16 Before any construction work commences above ground, named types including samples of all the facing materials, as well as roofing materials to be used for the external construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be fully implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality.

17 Before any site works commence on the development hereby permitted, tree protection fencing shall be erected around the trees and hedges to be retained in accordance with both British Standard 5837:2012 and the submitted Tree Protection Plan Drawing No 4773-LLB-XX-XX-DR-Ab-006 Rev P01 dated 19.12.2018 by Lloydbore landscape ecology arboriculture. The fencing shall then be retained in the positions shown on the Tree Protection Plan until the development is completed. Within the enclosed areas there shall be no construction works, no storage of materials, no fires and no excavation or changes to ground levels.

Reason: To ensure that the existing established trees and hedgerows within and around the site that are proposed to be retained are safeguarded during building operations, in accordance with Policy GC4 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011.

18 The proposed café to be introduced within the building shall not be brought into operation until suitable ventilation and filtration equipment has been installed to suppress and disperse odour in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The equipment approved shall be effectively operated and maintained in accordance with manufacturer's instructions and in accordance with the approved details for as long as the cafe use continues.

Reason: To ensure that unsatisfactory cooking odours outside the premises are minimised and to ensure that any external apparatus does not detract from the visual appearance of the building

19 Prior to installation further details, including the specification and means of control of any gate or barrier to be used to control vehicle access to the car park, as well as details of any security bollards shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these shall be installed fully in accordance with the approved details, and installed prior to the use of the building commencing.

Reason: To ensure appropriate and safe access to the site is maintained.

20 Following the appointment of an operator for the centre, a Security Needs and Operational Requirement Assessment shall be conducted and a Security Management Plan submitted to the Local Planning Authority for approval in writing. Following approval in writing the resulting security Plan, including any CCTV systems shall be implemented in full prior to the building being operational. The system should address any areas lacking natural surveillance both internally and externally.

Reason: To minimise potential criminal activity and improve community safety, in accordance with Core Strategy CS30.

21 No floodlighting or other form of external lighting to serve the external play and sports facilities shall be installed unless it is in accordance with details which have been 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 safeguarding the visual amenities of the locality and nearby residential properties.

22 Prior to the commencement of works above ground level a feasibility study for the use of PV panels shall be submitted to the Local Planning Authority for consideration. Subject to the scheme proving to be feasible further details of the amount and location of PV panels to be provided on the building shall be submitted to and approved in writing by the Local Planning Authority prior to installation, and thereafter shall be installed fully in accordance with such details prior to the use commencing.

Reason: To ensure appropriate provision for renewable technologies in accordance with Core Strategy policy CS5.

23 Demolition and construction works, including start up and close down activities, shall not be carried out other than within the following hours:

07:30 to 19:00 Monday to Friday;

08:00 to 13:00 Saturdays

No working on Sundays or Bank Holidays.

Any proposed works outside of those hours to be approved by the District Planning Authority and proportionate mitigation measures proposed.

Reason: In the interests of local amenity and to comply with Policy GC3 of the Chiltern District Council Local Plan 1997/2001.

24 Prior to the external play areas and sports facilities being installed on site a Noise Management Plan (NMP) shall be submitted to and approved in writing by the Local Planning Authority before the facilities are brought into use. The NMP shall set out a strategy for the management of noise from the external facilities, and how any complaints in relation to noise associated with these will be recorded and dealt with, including details of any mitigation measures necessary. This strategy shall be reviewed annually, and if as part of any review it can be demonstrated to the satisfaction of the Local Planning Authority that the NMP is no longer necessary the requirement for a NMP can be removed.

Reason: To safeguard the amenity of nearby residential occupiers.

25 When in normal operation on the site, the rating level from all fixed plant (boilers, mechanical ventilation plant, air conditioning equipment and the like) minus the existing background level shall not exceed +5dB at the boundary with the nearest residential receptor, when determined in accordance with BS4142:2014.

Reason: To protect the amenities of nearby residential properties and prevent noise disturbance.

26 Prior to commencement of development (save for demolition) a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented fully in accordance with the approved details before the development is completed. The scheme shall also include:

- Increase in the attenuation storage before discharging to the deep borehole to ensure that a 24 hour half drain down time for the 1 in 30 year rainfall event is achieved
- Assessment of SuDS components as listed in the CIRIA SuDS Manual (C753) and provide justification for exclusion if necessary, including green roofs and active rainwater harvesting
- Demonstrate that water quality, ecological and amenity benefits have been considered
- Infiltration rate testing
- Full construction details of all SuDS and drainage components
- Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components

- 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.
- 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
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.
 - Flow depth
 - Flow volume
 - Flow direction

Reason: The reason for this pre-start condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 163 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

27 Prior to commencement of development (save for demolition) a "whole-life" maintenance plan for the site shall have been submitted to and approved in writing by the Local Planning Authority. The Plan shall set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage/SuDS component) during and following construction, with details of who is to be responsible for carrying out the maintenance. The approved Plan shall subsequently be implemented fully in accordance with the approved details thereafter.

Reason: The reason for this being a pre-start condition is to ensure that maintenance arrangements have been arranged and agreed before any works commence on site that might otherwise be left unaccounted for.

28 Prior to the first occupation of the development, a demonstration (such as as-built drawings and/or photographic evidence) of the as-built surface water drainage scheme carried out by a suitably qualified person must be submitted to and approved in writing by the Local Planning Authority to demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme.

Reason: The reason for this pre-occupation condition is to ensure the Sustainable Drainage System has been constructed as per the approved is designed to the technical standards

29 AP01 Approved Plans

INFORMATIVES

1 Trees and other vegetation may offer suitable habitat for nesting birds. All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981.

Any works to suitable vegetation shall be undertaken outside of bird nesting season. This is weather dependent but generally extends between March and August inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting, or nest-building birds, are present. If any nesting birds are present then the vegetation shall not be removed until the fledglings have left the nest.

2 The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority. A period of 10 days must be allowed for the issuing of the licence, please contact the Streetworks team at the following address for information.

Streetworks
10th Floor, New County Offices
Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
Telephone 0845 2302882
<https://www.buckscc.gov.uk/services/transport-and-roads/licences-and-permits/>

3 The applicant is advised that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Development Management at the following address for information or apply online via Buckinghamshire County Council's website at;

www.buckscc.gov.uk/services/transport-and-roads/highways-development-management/apply-online/section-184-licence/

Highways Development Management
6th Floor, County Hall
Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
Telephone 0845 230 2882

4 Thames Water advise that a Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: commercial swimming pools. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made to Thames water.

5 The deep borehole soakaways associated with this development will require an Environmental Permit under the Environmental Permitting Regulations 2010, from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 08708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that the permit may not be granted.

The End

CHILTERN DISTRICT COUNCIL

PLANNING COMMITTEE - 14th February 2019

INDEX TO APPLICATIONS ON MAIN LIST OF REPORT

Chesham

PL/18/3887/FA Ward: Hilltop And Townsend Page No: 3
Proposal: Erection of two detached dwellings and a five bay car port.
Recommendation: Conditional Permission

75 Lye Green Road, Chesham, Buckinghamshire, HP5 3NB

Chesham

PL/18/3904/VRC Ward: Asheridge Vale And Page No: 13
Lowndes

Proposal: Variation of Condition 14 of planning permission CH/2018/0854/FA (Demolition of Nos. 206 and 208 Chartridge Lane and erection of two pairs of semi-detached dwellings along Chartridge Lane and one detached dwelling to the rear (comprising the reconfiguration of plot 5 approved under planning permission CH/2017/0846/FA), associated hard landscaping, parking and altered vehicular access) to allow amended design of detached dwelling on plot 5.
Recommendation: Conditional Permission

Land at 206 - 208 Chartridge Lane, Chesham, Buckinghamshire,

Chesham

PL/18/4372/VRC Ward: Asheridge Vale And Page No: 20
Lowndes

Proposal: Variation of Condition 14 of planning permission CH/2018/0854/FA (Demolition of Nos. 206 and 208 Chartridge Lane and erection of two pairs of semi-detached dwellings along Chartridge Lane and one detached dwelling to the rear, associated hard landscaping, parking and altered vehicular access) to allow amended design of semi-detached dwellings on Plots 6 to 9
Recommendation: Conditional Permission

Land at 206 - 208 Chartridge Lane, Chesham, Buckinghamshire,

Penn

PL/18/4331/FA Ward: Penn And Coleshill Page No: 26
Proposal: Redevelopment of site to provide three new dwellings with two detached garages and one carport, creation of two new vehicular accesses and associated hardstanding.
Recommendation: Defer-minded to approve subject to the prior completion of Legal Agreement.
Decision delegated to Head of Planning & Economic Development

Woodchester, Woodchester Park, Knotty Green, Buckinghamshire,

Penn

PL/18/4461/FA

Ward: Penn And Coleshill

Page No: 36

Proposal: Demolition of existing and erection of new dwelling.

Recommendation: Conditional Permission

Little Coppice, Church Road, Penn, High Wycombe, Buckinghamshire, HP10 8NX

Great Missenden

PL/18/4680/FA

Ward: Great Missenden

Page No: 41

Proposal: Single storey front extension

Recommendation: Conditional Permission

Ladymede, Grimms Hill, Great Missenden, Buckinghamshire, HP16 9BG

REPORT OF THE HEAD OF PLANNING & ECONOMIC DEVELOPMENT

Main List of Applications 14th February 2019

PL/18/3887/FA

Case Officer: Lucy Wenzel
Date Received: 17.10.2018
Parish: Chesham
App Type: Full Application
Proposal: Erection of two detached dwellings and a five bay car port.
Location: 75 Lye Green Road
Chesham
Buckinghamshire
HP5 3NB
Applicant: Visao Limited

Decide by Date: 11.02.2019
Ward: Hilltop And Townsend

SITE CONSTRAINTS

Adjacent to A and B Road
Bovingdon Technical Radar Zone
North South Line
A and B Roads
Tree Preservation Order
Townscape Character

CALL IN

The application has been called to the Planning Committee by Councillor Culverhouse, if the Officers' recommendation is for approval.

SITE LOCATION

The application site is located on the south-eastern side of Lye Green Road within the area of Lye Green on the eastern side of Chesham. The site is situated to the rear of dwellings which front Lye Green Road, Codmore Crescent and Warrender Road, and is accessed via a long driveway from Lye Green Road. It is surrounded by residential gardens.

THE APPLICATION

The application seeks permission for the demolition of the existing house and garage and the erection of two detached houses with garages.

The dwellings will be identical in form measuring approximately to a maximum depth of 14 metres and width of 7.1 metres. The roof will be gabled to the front with a ridge height of 8.3 metres and eaves height of 4.2 metres.

RELEVANT PLANNING HISTORY

CH/2016/1768/FA - Demolition of existing house and garage and erection of two detached houses with garages, refused permission.

TOWN COUNCIL - Received 29th November 2018

"No Comment."

REPRESENTATIONS

27 letters of objection have been received which have been summarised below:

- It is a long way for residents to walk from the main road.
- The access track appears inadequate.
- There will be windows which overlook neighbouring dwellings.
- The sight lines from the access onto Lye Green Road are dangerous.
- The proposal has already been dismissed twice.
- The area is semi-rural and trying to gain as many houses on site is unacceptable.
- The dwellings are crammed within the plot which is out of character to the surrounding area.
- There will be a greater increase in traffic and disturbance for all surrounding properties.
- The increase in traffic will create a danger to users.
- The proposal is sheer overdevelopment of the site.
- The entrance is too narrow and cannot be widened due to the presence of mature trees.
- Inadequate access for emergency vehicles.
- The proposals will damage existing hedges bordering the site.
- The drainage system cannot cope with greater volumes.
- The plans include very limited parking for the dwellings.
- The garden areas seem small.
- Refuse lorries will struggle manoeuvring down the access track.
- There is minimal manoeuvring space within the site for vehicles.

CONSULTATIONS

Buckinghamshire County Council Highway Authority

"I note that this application follows CH/2018/0366/FA, which, in a response dated the 6th April 2018; the Highway Authority had no objections subject to conditions. This application proposes an additional dwelling from that of the previous application on site.

Lye Green Road is classified as the B4505 and in this location is subject to a speed restriction of 30mph. Proposals include the erection of an additional detached dwelling from that of the previous proposals, which would bring the total number of dwellings served by the access point to 4.

When considering trip generation, I would expect a dwelling in this location to generate in the region of 4-6 vehicular movements each, two-way. As this is the case, I would expect the proposed dwelling to generate in the region of 4-6 additional vehicular movements a day, two-way. I am confident that these movements can be accommodated onto the Local Highway Network in this location.

As Lye Green Road is subject to a speed restriction of 30mph, visibility splays of 2.4m x 43m are applicable, commensurate with current Manual for Streets guidance. Following a recent site visit, it was apparent that these splays are achievable within the publicly maintained highway.

As previously stated, the proposals would bring the total number of dwellings served by the access point to 4. The submitted plans show the access point measuring 4.8m for the initial 10m of the site, before narrowing to

2.75m for a short distance within the site. The access road would then widen out again to 4.1m for 6.5m, before widening to 4.8m again. A further narrowing of 2.75m is then shown for a short distance, with the access point then widening to 4.8m for the remainder of the access road. Given that Manual for Streets states that a distance of 2.75m is acceptable over a short distance, and taking into consideration the quantum of development proposed, I do not consider that I could uphold a reason for refusal on access width in this instance, particularly given the Highway Authority had no objection to the provision of three dwellings on the site.

Whilst I trust you will determine whether the parking provision is acceptable, I can confirm that there is adequate space within the site for vehicles to turn and egress in a forward gear.

With regard to refuse collection, Manual for Streets guidance states that residents should not be required to carry waste more than 30m to the storage point, and waste collection vehicles should be able to get to within 25m of the storage point. The proposed site plan does not accord with these requirements, and residents will therefore have to carry their waste bins in excess of this distance to enable roadside collection from Lye Green Road. Whilst this is not ideal, as the access road will not be adopted by the Highway Authority, I do not believe that I am in a position to justify this as a potential reason for refusal of the application.

Mindful of the above, I have no objection to the proposals, subject to conditions being included on any planning consent that you may grant."

District Tree Officer

"The application proposes two houses partially within the rear garden of 75 Lye Green Road and partially within the land behind 6 Warrender Road that was the subject of CH/2017/2174/FA, but with the access from 75 Lye Green Road.

The siting of the proposed houses would require the loss of several fruit trees, some beech hedging about 4m in height that separates 75 Lye Green Road from 6 Warrender Road and a cypress hedge about 5m in height along the southern boundary of the site. However none of these is considered to be important.

The three lime trees on the rear boundary of 79 Lye Green Road protected by Tree Preservation Order No 8 of 2003 would be just outside the application site adjacent to the proposed front garden of Plot A and should not be affected by the proposal.

The proposed five bay car port would not require any additional tree loss. However the application does involve some widening of the access drive but not in the parts immediately adjacent to the five beech trees within the avenue that are protected by Tree Preservation Order No 8 of 2003. This would require the loss of a few trees that had previously been identified as being in poor condition in an earlier tree survey, including a dead tree, a purple-leafed plum and a birch.

Although I regret the loss of some of the poorer avenue trees I would not object to the application provided there is adequate protection for the retained trees."

Waste Management

"Both properties will have to bring down and present their refuse and recycling containers to the property boundary on Lye Green Road."

Chiltern and South Bucks Joint Building Control Service - Disabled access

"The approach to the dwelling is via a gravelled path and this is not suitable for wheelchair users; to comply with the Building Regulations this will have to be amended to provide a level or gently sloping access route with a hard ground surface from the car parking area to the principal entrance onto the dwellings."

Chiltern and South Bucks Joint Building Control Service - Firefighting access

"I have no objections or comments arising out of the amended plans."

POLICIES

National Planning Policy Framework.

Core Strategy for Chiltern District - Adopted November 2011: Policies CS4, CS20, CS24, CS25 and CS26.

The Chiltern Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011: Saved Policies GC1, GC2, GC3, GC4, H3, H11, H12, TR2, TR3, TR11, TR15 and TR16.

Sustainable Construction and Renewable Energy Supplementary Planning Document (SPD) - Adopted 25 February 2015

EVALUATION

Principle of development

1. The site is located within the built up area of Chesham where in accordance with Policy H3, proposals for new dwellings are acceptable in principle subject to there being no conflict with any other Local Plan policy. Proposals should be compatible with the character of those areas by respecting the general density, scale, siting, height and character of buildings in the locality of the application site, and the presence of trees, shrubs, lawns and verges.
2. In addition, the spatial strategy for Chiltern District, in accordance with Policies CS1 and CS2 of the Core Strategy, is to focus development on land within existing settlements outside the Green Belt and Area of Outstanding Natural Beauty (AONB).
3. The current application seeks permission for the erection of two detached dwellings and a detached car port. The site currently has planning permission for the erection of three detached dwellings sited to the south east of the plot with the current application replacing one of these dwellings to allow for the erection of the carport and the subsequent two dwellings sited to the north east of the plot. A previous planning application at No. 6 Warrender Road (Reference CH/2017/2174/FA) sought permission for the erection of two detached dwellings on land sited to the rear and access leading from Warrender Road. The location and siting of these two dwellings is similar to that proposed in the current application but the access will now lead off Lye Green Road rather than Warrender Road. This previous application was refused planning permission with the subsequent Appeal being dismissed. The main reason for refusal maintained by both the Council and Planning Inspector was, by reason of the access coming off Warrender Road, the dwellings would have been viewed in the context of that street scene, and would have failed to respect the character of that road. It was therefore concluded that the resultant dwellings would appear cramped and at odds with the prevailing pattern of development along Warrender Road, solely due to the relationship with that road arising from the access coming off that road. Whilst the Council also refused the application on the potential impact of the development upon the amenity of No. 79a Lye Green Road, this was not upheld by the Planning Inspector. In fact the Inspector was quite critical of this reason for refusal, stating that there would clearly be no adverse impact on this property.

Design/character & appearance

4. Having regard for the aforementioned points, concern was raised with the location of the dwellings in relation to their relationship with Warrender Road. The Planning Inspector states within the appeal statement for CH/2017/2174/FA that:

"the lack of direct road frontage would not be characteristic of the existing dwellings on Warrender Road" and

Given that the current application proposes that the dwellings are served by access leading off Lye Green Road they are viewed within a different context and very much within the enclave of development of dwellings off that same access, rather than Warrender Road. This is also highlighted by the layout of the dwellings, which would now face the other direction, i.e. away from Warrender Road rather than towards it. As aforementioned, the site at Lye Green Road already has permission for three new dwellings and the proposed two dwellings would be viewed within this context. The dwellings would no longer be viewed in relation to Warrender Road as there would be no access from that direction. Additionally, the sense of a small backland style development would no longer be present given that the proposed two dwellings have no relationship with Warrender Road but have a relationship with the site at 75 Lye Green Road. Additionally, existing development was present upon the plot of land in which this application relates to in the form of a bungalow which had no direct road frontage. This therefore prevents the proposed dwellings appearing out of keeping with the surrounding locality and does not significantly alter the existing character of the area.

5. The proposed siting of the dwellings draw development and built form further north along the plot but as previously mentioned they remain to be viewed within the context of the existing and approved development. The visual external appearances of the dwellings are identical to those previously proposed under the application CH/2017/2174/FA in terms of form, height and overall design. There is however slight variance in their precise positioning as the dwellings would face into the Lye Green Road plot instead of Warrender Road enabling their incorporation into the site and creating a positive visual flow of development. The Appeal Inspector specifically stated that the plot sizes were acceptable in themselves, so no objections can be raised in this respect. The plots reflect those plots permitted under the 2017 application and also the immediate locality. Furthermore, the Planning Inspector mentions within the appeal decision that:

"The proposal would not appear to be significantly different to that permitted by the Council at No. 76 which backs onto the appeal site. Taking account the proximity of that development to the appeal proposal I consider that the width and spacing around the dwellings does not weigh against the appeal scheme."

As it was considered by the Planning Inspector that there were no concerns with spacing a different stance cannot now be given. The pattern of development in this area is variable with no rigid configuration and whilst an original dwelling has always been present within the plot and has historically formed part of a residential plot of land. It is acknowledged that the proposal seeks to erect two dwellings and a carport in addition to two dwellings already granted permission on site but it is not considered that they will appear shoehorned or cramped as they have been suitably designed and positioned within the plot such as to ensure adequate spacing around all boundary lines and between buildings. Concluding on the Appeal Inspectors points, the concern was related to the negative impact that the proposed dwellings would have upon the Warrender Road street scene as a direct result of the access leading off of Warrender Road. Given that the current proposal leads off of Lye Green Road it is viewed within this development and so removes those previous concerns.

6. The carport proposed will be sited within the plot where a dwelling was proposed under the previous application (CH/2017/2174/FA). It has a similar form to the dwellings proposed in that the roof will be pitched and materials will match. The carport will be sizeable given that it will accommodate five car parking spaces measuring to a similar depth of the current proposed dwelling. Having regard for this point, given that

approval was granted for a dwelling in this location, the erection of a carport would have a lesser impact upon the wider site and is therefore acceptable.

Residential amenity

7. As aforementioned, the proposed two dwellings will be sited to the north east of the plot with the car port to the south west. The site is surrounded by residential gardens with proposed new dwellings located to the south east. Both dwellings would face into the plot away from neighbouring boundary lines with a large area of landscaping sited to the front separating them from the proposed development to the opposing end. Plot 3 would have a flank elevation which stretches along the rear boundary of No. 11a Codmore Crescent with plot 4 extending along both Nos. 81 and 79a Lye Green Road. The rear of both plots will extend along the rear boundary line of No. 6 Warrender Road. Whilst it is acknowledged that the dwellings will most likely be visible from the rear amenity spaces of all the aforementioned neighbours, the distances of the gardens from No. 11a, 79a and 81 are considerable in length. Substantiating this point; the Planning Inspector stated that:

"It is significant that the garden area is in the region of 27 metres long. To my mind, given this distance, the proposed dwelling would not appear as being excessively large or overbearing from the rear of that property or from the main part of the rear garden."

As such any new concerns in relation to neighbour amenity cannot now be introduced given that the Appeal Inspector disagreed with it so strongly.

8. Additionally, no first floor flank elevation windows are proposed on either dwelling therefore eliminating any potential concern for overlooking or a reduction in privacy. Rooflights are set low in the roof slope on either flank elevations of the dwellings but as these are set within a slope there is minimal direct overlooking which can occur. The dominance of windows face to the front and rear of the dwellings with the rear elevation set in relative close proximity to the rear of No. 6 Warrender Road. Whilst acknowledging this, no concerns were previously raised by the Planning Inspector in relation to the erection and position of these two dwellings against No. 6 and therefore there is no reason to raise concern.

9. The garden depths are commensurate with Policy and no concerns were raised in this respect by the Appeal Inspector. However it is noted that Policy H12 does state that garden depths should reflect those surrounding dwellings and should those surrounding garden depths be substantially larger or smaller than the proposed depths should imitate this. Having regard for this, those surrounding gardens are of varied depth and scale and whilst the neighbours to the north and south have significantly larger garden depths the houses along Warrender Road and also those already approved on site have similar garden depths to those proposed. Therefore the amount of amenity space being provided is considered to be appropriate to the dwelling size and also within the context of its surroundings.

10. An area for bin storage is shown at the end of the access track within the site. The Waste Team have no concerns with the proposal but state that the properties will have to present their refuse and recycling containers to the property boundary on Lye Green Road. Whilst it is acknowledged that the access track covers a distance including the distance of the proposed dwelling to the far north east of the site no concerns were previously raised under application CH/2016/2230/FA and CH/2018/0366/FA as to the collection of waste and so there is no substantive reason to raise concern or refuse the application based upon this.

Parking/Highway implications

11. The parking proposal on site will provide six parking spaces; five within the proposed carport and one sited to the south of the car port. There will be an area of hardstanding located to the front in order to allow for the manoeuvring of vehicles into and out of the access and parking area. Given that each dwelling

measures over 120 square metres there parking standard sits at three spaces per dwellings. As this standard is met on site there are no issues raised with the proposed parking on site and is considered acceptable having regard for the Council's parking standards as set out in Policy TR16.

12. In terms of access, the existing access route leading off of Lye Green Road will be utilised for the proposed two dwellings increasing the number of dwellings being served by this access to 4. The Highways Authority stated that when considering trip generation the additional vehicular movements a day can be accommodated onto the Local Highway Network and the required visibility splays are achievable within the publicly maintained highway. The access route leading from Lye Green Road to the dwellings would be narrow in form varying from 2.75 metres to 4.8 metres along the stretch. On this point, the Highways Authority have stated that a distance of 2.75 metres is acceptable over a short distance, and taking into consideration the quantum of development proposed the access is considered acceptable.

Trees and landscaping

13. The comments from the Tree Officer are noted, which raises no objection to the proposal subject to conditions relating to Tree Protection Plans and the prevention of tree removal on site. Although it is noted that the Tree Officer regrets the loss of some avenue trees along the access point, mention is given that these trees are of poorer quality and sufficient acknowledgement and protection has been given to the larger more substantial trees and TPO trees on site.

14. Landscaping is shown clearly on the submitted drawing 918:1119/PL104 which is considered to positively enhance the site. A condition will be attached to the permission to ensure that the proposed landscaping is undertaken.

Affordable Housing

15. For proposals under 5 dwellings, Policy CS8 of the Core Strategy requires a financial contribution towards off-site affordable housing to be made. However, there are now specific circumstances set out in the National Planning Practice Guidance where contributions for affordable housing and tariff style planning obligations (Section 106 planning obligations should not be sought from small scale development, including developments of 10 units or less, which have a gross floorspace of less than 1,000 square metres. No objections are therefore raised regarding the lack of affordable housing provision.

Conclusions

16. Based on the above assessment and comparing the current amended scheme of works to the previous approved permission the proposal is considered acceptable.

Working with the applicant

17. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant / Agent and has focused on seeking solutions to the issues arising from the development proposal.

Chiltern District Council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service,
- updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions.

In this case, Chiltern District Council has considered the details as submitted which were considered acceptable.

Human Rights

18. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Conditional Permission

Subject to the following conditions:-

1 C108A General Time Limit

2 Prior to the commencement of construction work above ground level, full details of the materials to be used for the external construction of the development hereby permitted, including the surface materials for the access track to the front of the dwelling, shall be made available to and approved in writing by the Local Planning Authority. The development shall only be carried out in the approved materials.

Reason: To ensure that the external appearance of the development is not detrimental to the character of the surrounding area and for all potential users of the site, in accordance with Policies GC1 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and Policy CS20 of the Core Strategy for Chiltern District (Adopted November 2011).

3 No development shall take place until a Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall clearly show the trees and hedges to be retained and those to be removed, along with the positions of tree protection fencing and any other appropriate tree protection measures, such as no-dig construction. Before any other site works commence on the development hereby permitted this tree protection fencing shall be erected around all the trees and hedges to be retained in accordance with both this plan and British Standard 5837:2012. The fencing shall then be retained in these positions until the development is completed. Within these enclosed areas there shall be no construction works, no storage of materials, no fires and no excavation or changes to ground levels. These protection measures shall then be implemented in accordance with the details in the approved plan.

Reason: To ensure that the existing established trees and hedgerows within and around the site that are proposed to be retained are safeguarded during building operations, in accordance with Policy GC4 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011.

4 No tree or hedge shown to be retained on the Tree Protection Plan approved under condition 3 shall be removed, uprooted, destroyed or pruned for a period of five years from the date of implementation of the development hereby approved without the prior approval in writing of the Local Planning Authority. If any retained tree or hedge is removed, uprooted or destroyed, or dies during that period, another tree shall be planted of such size and species as shall be agreed in writing by the Local Planning Authority. Furthermore, the existing soil levels within the root protection areas of the retained trees and hedges shall not be altered.

Reason: To ensure the retention of the existing established trees and hedgerows within the site that are in sound condition and of good amenity and wildlife value, in accordance with Policy GC4 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011.

5 Prior to the occupation of the development the modified access to Lye Green Road shall be designed in accordance with the approved plans.

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

6 Prior to occupation of the development space shall be laid out within the site for parking for cars, loading and manoeuvring, in accordance with the approved plans. This area shall be permanently maintained for this purpose, including the approved car port.

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.

7 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 43 metres along the edge of the carriageway measured from the intersection of the centre line of the access. 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.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no windows other than those expressly authorised by this permission, shall be inserted or constructed at any time at first floor level or above in the flank elevations of the dwellings hereby approved.

Reason: To safeguard the amenities of the adjoining properties and approved dwellings.

9 The proposed roof lights in the roof slopes of the proposed dwellings shall be a minimum of 1.7 metres above the floor of the room in which they are installed. The windows shall be permanently retained in that condition thereafter.

Reason: To protect the amenities and privacy of the adjoining properties, in accordance with Policy GC3 of The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011.

10 Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Classes A - E; of Part 1; of Schedule 2 to the said Order shall be erected, constructed, or placed within the application site unless planning permission is first granted by the Local Planning Authority. Reason: In order to protect the amenities of adjoining properties and to ensure adequate amenity space is retained for future occupiers of the dwellings, in accordance with Policies GC3 and H12 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011.

11 AP01 Approved Plans

INFORMATIVES

1 INFORMATIVE: The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A period of 28 days must be allowed for the issuing of the licence, please contact the Area Manager at the following address for information.

Transportation for Buckinghamshire
London Road East
Little Chalfont
Amersham
Buckinghamshire

HP7 7DT

2 INFORMATIVE: It is contrary to section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development shall therefore be so designed and constructed that surface water from the development shall not be permitted to drain onto the highway or into the highway drainage system.

3 INFORMATIVE: The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the appropriate Water Authority may be necessary.

4 INFORMATIVE: It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

5 INFORMATIVE: No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.

PL/18/3904/VRC

Case Officer: Laura Rheiter
Date Received: 18.10.2018 Decide by Date: 11.02.2019
Parish: Chesham Ward: Asheridge Vale And Lowndes
App Type: Variation or Removal of a Condition
Proposal: Variation of Condition 14 of planning permission CH/2018/0854/FA (Demolition of Nos. 206 and 208 Chartridge Lane and erection of two pairs of semi-detached dwellings along Chartridge Lane and one detached dwelling to the rear (comprising the reconfiguration of plot 5 approved under planning permission CH/2017/0846/FA), associated hard landscaping, parking and altered vehicular access) to allow amended design of detached dwelling on plot 5.
Location: Land at 206 - 208 Chartridge Lane
Chesham
Buckinghamshire
Applicant: Chartridge Build Ltd

SITE CONSTRAINTS

Adjacent to C Road
North South Line
Townscape Character

CALL IN

Councillor Bacon has requested that the application be referred to the Planning Committee if the Officers' recommendation is for approval.

SITE LOCATION

The application site is located on the south western side of Chartridge Lane within the built up area of Chesham. It is located at nos. 206 - 208 Chartridge Lane and land to the side and rear of 206-208 Chartridge Lane.

THE APPLICATION

The application seeks a variation of Condition 14 of planning application CH/2018/0854 which was approved in August 2018. This is the condition listing the approved plans, and the current application seeks some minor changes to the dwelling on Plot 5 only (house type B). The main changes to Plot 5 are:

- The roof form has been changed, from a gabled roof to a half hipped roof, the ridge height has been increased by 600mm and the eaves height has been increased, mainly at the sides;
- Rooflights replaced by dormer windows;
- The front projection has been increased slightly in height.

Further changes include: amended window and door design, additional retaining wall and steps (plot 5 only).

The remainder of the application is identical to the approved application CH/2018/0854/FA and has not changed.

RELEVANT PLANNING HISTORY

PL/18/4372/VRC - under consideration and on the same Committee agenda - Variation of Condition 14 of planning permission CH/2018/0854/FA (Demolition of Nos. 206 and 208 Chartridge Lane and erection of two pairs of semi-detached dwellings along Chartridge Lane and one detached dwelling to the rear (comprising the reconfiguration of plot 5 approved under planning permission CH/2017/0846/FA), associated hard landscaping, parking and altered vehicular access) to allow amended design of semi-detached dwellings on plots 6 to 9.

CH/2018/0854/FA - conditional permission - Demolition of Nos. 206 and 208 Chartridge Lane and erection of two pairs of semi-detached dwellings along Chartridge Lane and one detached dwelling to the rear (comprising the reconfiguration of plot 5 approved under planning permission CH/2017/0846/FA), associated hard landscaping, parking and altered vehicular access

CH/2017/0846/FA - refused at Planning Committee but allowed at appeal - Re-development of site, 5 detached dwellings (4 with integral garages, 1 detached garage), associated hard landscaping, parking and creation of vehicular access.

CH/2017/1959/FA - refused permission - Re-development of site comprising 5 dwellings (4 with integral garages), associated hard landscaping, parking and creation of vehicular access.

CH/2015/1713/FA - conditional permission - Erection of three detached dwellings and detached garage, creation of vehicular access.

TOWN COUNCIL

Response received 10 December 2018. Objects on the grounds that the increased height and dormer windows will make the building overbearing on its neighbours and represent over-development. [Officer Note: The Town Council do not explain what they mean by overdevelopment, or what planning-related harm would arise by any perceived overdevelopment].

REPRESENTATIONS

Three letters of representation have been received, raising issues regarding:

- Bulky and imposing looking house;
- Impact on privacy and garden space, overlooking;
- Dormer windows and unnecessary and overbearing;
- Blatant attempt to go from a chalet bungalow (and therefore with lower impact on the existing neighbours front to back) to a full blown house;
- Three storey houses fronting Chartridge Lane changes the character of the road [Officer Note: these are not part of the current application and have been approved under a separate permission];
- Plot 5 would be more acceptable if it would be two storey.

CONSULTATIONS

Buckinghamshire County Council - Highway Authority

No objection subject to conditions. The Highways Officer comments that the variation of Condition 14 relates to the approved drawing, the drawing submitted propose the enlargement of plot 5 from a two bed dwelling to a three bed dwelling. The scale of enlargement to this dwelling would not have a material impact in highways terms; therefore the Highway Authority has no objections or conditions to add.

Chiltern, South Bucks and Wycombe District Councils - Joint Waste Team

The Waste Policy & Efficiency Officer comments that residents to present their refuse and recycling at the property boundary on Chartridge Lane.

Tree Officer

No objection and no conditions. The Tree Officer comments as follows: The application proposes changing the floor plans for Plot 5 with a revised layout. It appears that the footprint and the site layout would not change. The only tree within the proposed plot is a cherry. Under CH/2018/0854/FA I had stated: A cherry tree that is about 12m in height is shown for retention within the rear garden of Plot 5 but this tree is in poor condition with little foliage and is nearly dead.

Since receiving the comments from the Tree Officer a landscaping scheme has been approved on 21/01/2019 as required in condition 6 of planning permission CH/2018/0854/FA.

Building Control

No objection.

Ecology Officer

Ecology details have been approved on 21/01/2019 as required in Condition 7 of planning permission CH/2018/0854/FA.

POLICIES

National Planning Policy Framework (NPPF), 2018.

Core Strategy for Chiltern District - Adopted November 2011: Policies CS4, CS20, CS24, CS25, CS26.

The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011. Saved Policies: GC1, GC3, GC4, H3, H11, H12, TR2, TR3, TR11, TR15, TR16.

EVALUATION

Principle of Development

1. There is no change in the principle of the development. The site is located within the built up area of Chesham where in accordance with Local Plan Policy H3, proposals for new dwellings are acceptable in principle subject to there being no conflict with any other Local Plan policy. In addition, the spatial strategy for Chiltern District, in accordance with Policies CS1 and CS2 of the Core Strategy, is to focus development on land within existing settlements and in particular to the built up areas of the main settlements which includes Chesham.

2. The application seeks permission to vary the appearance of the dwelling on Plot 5. This report concentrates on those differences.

Design/character & appearance

3. The shape and size of the site for Plot 5 has not changed and is identical to the original planning permission. The changes proposed relate to an increase in the scale of the dwelling. It is situated between the row of dwellings approved under CH/2017/0846/FA and the two proposed semi-detached dwellings fronting Chartridge Lane approved under CH/2018/0854/FA. The proposed increased ridge height of 60cm is in itself not objectionable, as the dwelling would remain well below the height of all neighbouring dwellings. The dormers are well designed and reflect the appearance of the altered roof. The appearance of the dwelling would be of a chalet bungalow rather than a two storey dwelling, as the eaves would remain low at the front and rear. In summary, the dwelling on Plot 5 would be larger than originally approved, but it remains considerably smaller in scale than all of the neighbouring dwellings, with a chalet bungalow appearance, thereby not having any demonstrable adverse impact to the character and appearance of the area.

Residential amenity

4. Policy GC3 of the Local Plan seeks to achieve good standards of amenity for the future occupiers of the development and to protect the amenities enjoyed by existing neighbouring properties. The relationship with neighbouring properties in general has been found acceptable through planning permission CH/2018/0854/FA. The only issue for consideration is therefore whether the amended appearance makes the dwelling appear overbearing and intrusive for neighbours.

5. It was established in planning permission CH/2018/0854/FA that there were no amenity concerns regarding 210 Chartridge Lane or any of the proposed semi-detached dwellings fronting Chartridge Lane. The siting remains the same. The distance from the rear windows of the dwelling proposed for plot No. 9 to the north-east elevation of plot No. 5 is around 24 metres. This is considered to be a sufficient distance to not have an adverse impact on amenity by way of overlooking or visual intrusion in both directions. It is also important to note that the dwelling on Plot 5 is sited at a notably lower ground level than the dwellings fronting Chartridge Lane. The difference is a significant 4 metres in ground level, with Plot 5 sited 4 metres lower than the rear of the houses on Chartridge Lane. This notable difference in ground levels, coupled with the scale of the amended dwelling would mean that it would not appear overbearing or intrusive for the neighbouring occupiers. In terms of overlooking, as a matter of fact, there will be no overlooking whatsoever from Plot 5 towards the east, as the first floor windows are shown to be obscurely glazed. This can be secured by condition. Therefore it is considered that the amended scheme does not give rise to any concerns with regard to the amenity of neighbouring dwellings.

Parking/Highway implications

6. There are no changes proposed to the parking arrangements, which have been accepted with the approval of planning application CH/2018/0854/FA.

7. The impact of the changes to the proposed development on the local highway network and the proposed access road has not changed and is acceptable.

Ecology

8. The impact of the proposed development on ecology has not changed and conditions attached to planning permission CH/2018/0854/FA have been approved on 21/01/2019.

Trees and Landscaping

9. The impact on trees and any proposed landscaping has not changed. A landscaping scheme has been approved on 21/01/2019 as per condition that was attached to planning permission CH/2018/0854/FA.

Other issues - Fire Access

10. The access road has not changed and Building Control and the Waste Team previously had no objection to the proposal.

11. Bins and boundary treatment/fences have been approved on 21/01/2019 as per condition that was attached to planning permission CH/2018/0854/FA.

Pre-commencement conditions

12. The applicant has agreed to all recommended pre-commencement conditions, as now required under planning legislation.

Working with the applicant

13. In accordance with section 4 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the applicant/agent and has focused on seeking solutions to the issues arising from the development proposal.

Chiltern District Council works with applicants/agents in a positive and proactive manner by:

- Offering a pre-application advice service,
- Updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions.

In this case, Chiltern District Council has considered the details as submitted which were considered acceptable.

Human Rights

14. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Conditional Permission

Subject to the following conditions:-

1 C108A General Time Limit

2 Materials to be used for the external construction of the development should be as submitted as part of the application for approval of details reserved by condition PL/18/3925/CONDA approved on 21/01/2019 unless written approval is given by the Local Planning Authority for alternative materials.

Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality, in accordance with Policies GC1 and H3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and Policy CS20 of the Core Strategy for Chiltern District (Adopted November 2011).

3 Prior to the commencement of the development the new access shall be laid out in accordance with the approved plans.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway, in accordance with Policies TR2 and TR3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011 and Policies CS25 and CS26 of the Core Strategy for Chiltern District, adopted November 2011.

4 The scheme for parking and manoeuvring shown on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter 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, in accordance with Policies TR2, TR3, TR11 and TR16 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011 and Policies CS25 and CS26 of the Core Strategy for Chiltern District, adopted November 2011.

5 All planting, seeding or turfing comprised in the details of landscaping approved on 21/01/2019, as part of application for approval of details reserved by condition PL/18/3925/CONDA, shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the

completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In order to maintain, as far as possible, the character of the locality and to ensure biodiversity enhancements and to ensure a good quality of amenity for future occupiers of the dwellings hereby permitted, in accordance with policies GC1, GC4 and H3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and policy CS20 and CS24 of the Core Strategy for Chiltern District (Adopted November 2011).

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no windows/dormer windows other than those expressly authorised by this permission, shall be inserted in the flank elevations of the dwellings hereby permitted.

Reason: To protect the amenities and privacy of the adjoining properties, in accordance with policy GC3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011.

7 Prior to the occupation of the new dwelling on Plot 5, the side facing dormer window at the rear, serving Bedroom 1, shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.

Reason: To protect the amenities and privacy of the adjoining properties, in accordance with policy GC3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011.

8 Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Classes A - E of Part 1 of Schedule 2 to the said Order shall be erected, constructed, or placed within the application site unless planning permission is first granted by the Local Planning Authority.

Reason: In order that the Local Planning Authority can properly consider whether any future proposals will be detrimental to the character of the locality or the amenities of neighbouring properties, in accordance with policies GC1, GC3 and H3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and policy CS20 of the Core Strategy for Chiltern District (Adopted November 2011).

9 AP01 Approved Plans

INFORMATIVES

1 INFORMATIVE: The applicant is advised that an indemnity will have to be completed that waives all damage liability of the road surface, prior to waste collections commencing.

2 INFORMATIVE: The applicant is advised that the access should be constructed in accordance with Buckinghamshire County Council's guide note "Commercial Vehicular Access within Highway Limits" 2013. In addition the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Development Management at the following address for information:-

Highways Development Management
6th Floor, County Hall
Walton Street,
Aylesbury,
Buckinghamshire
HP20 1UY

or apply online via Bucks County Council website at www.buckscc.gov.uk/services/transport-and-roads/licences-and-permits

3 INFORMATIVE: The applicant is advised that it is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

4 INFORMATIVE: The applicant is advised that no vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.

5 INFORMATIVE: The applicant is advised that all species of bat and their roosts are protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010. The applicant and contractors should be aware that all bats and any structures used by them are protected by law, and that works likely to disturb bats or their resting places (even if undertaken at a time of year when the bats are absent) require a licence from Natural England. Should a bat be encountered during development, work should cease immediately and advice should be sought from Natural England (tel. Batline 0345 1300228). Bats should preferably not be handled (and not without gloves) but should be left in place, gently covered, until advice is obtained. Particular care and vigilance should be taken when roof tiles or slates are removed (remove by hand and check underside for bats before stacking, particularly the ones over the gable ends and ridge tiles.) Fascias, barge boards and external cladding may also provide roost opportunities for bats and should be disturbed with care. As a further precaution, undertaking roof work during the months of March to May, or September to November will avoid the main hibernation and breeding seasons when bats are most sensitive to disturbance.

PL/18/4372/VRC

Case Officer: Laura Rheiter
Date Received: 19.11.2018
Parish: Chesham
App Type: Variation or Removal of a Condition
Proposal: Variation of Condition 14 of planning permission CH/2018/0854/FA (Demolition of Nos. 206 and 208 Chartridge Lane and erection of two pairs of semi-detached dwellings along Chartridge Lane and one detached dwelling to the rear, associated hard landscaping, parking and altered vehicular access) to allow amended design of semi-detached dwellings on Plots 6 to 9
Location: Land at 206 - 208 Chartridge Lane
Chesham
Buckinghamshire
Applicant: Simco Homes
Decide by Date: 11.02.2019
Ward: Asheridge Vale And Lowndes

SITE CONSTRAINTS

Adjacent to C Road
North South Line
Townscape Character

CALL IN

Councillor Bacon has requested that the application be referred to the Planning Committee if the Officers' recommendation is for approval.

SITE LOCATION

The application site is located on the south western side of Chartridge Lane within the built up area of Chesham. It is located at nos. 206 - 208 Chartridge Lane and land to the side and rear of 206-208 Chartridge Lane.

THE APPLICATION

The application seeks a variation of Condition 14 of planning application CH/2018/0854/FA which was approved in August 2018. The only changes proposed are for Plots 6-9. The changes include:

- Small porch infilled;
- Porch canopy added;
- Two small dormer windows added to rear roof slopes, largely hidden by the approved rear projections;
- Timber detail boarding added to front gables;
- Eaves raised slightly on the approved rear projections, to make them level with the main eaves;
- Rear line of plots adjusted by 30cm.

The remainder of the application is identical to the approved application CH/2018/0854/FA and has not changed. Conditions 2, 3, 6, 8, 9 & 10 of planning permission CH/2018/0854/FA have been approved and discharged under application PL/18/3925/CONDA on 21/01/19.

RELEVANT PLANNING HISTORY

PL/18/3904/VRC - under consideration and on the same Committee agenda - Variation of Condition 14 of planning permission CH/2018/0854/FA (Demolition of Nos. 206 and 208 Chartridge Lane and erection of two pairs of semi-detached dwellings along Chartridge Lane and one detached dwelling to the rear (comprising the reconfiguration of plot 5 approved under planning permission CH/2017/0846/FA), associated hard landscaping, parking and altered vehicular access).

CH/2018/0854/FA - conditional permission - Demolition of Nos. 206 and 208 Chartridge Lane and erection of two pairs of semi-detached dwellings along Chartridge Lane and one detached dwelling to the rear (comprising the reconfiguration of plot 5 approved under planning permission CH/2017/0846/FA), associated hard landscaping, parking and altered vehicular access

CH/2017/0846/FA - refused by the Planning Committee but allowed at appeal - Re-development of site, 5 detached dwellings (4 with integral garages, 1 detached garage), associated hard landscaping, parking and creation of vehicular access.

CH/2017/1959/FA - refused permission - Re-development of site comprising 5 dwellings (4 with integral garages), associated hard landscaping, parking and creation of vehicular access.

CH/2015/1713/FA - conditional permission - Erection of three detached dwellings and detached garage, creation of vehicular access.

TOWN COUNCIL

Response received 18 December 2018. Objects on the grounds of the application being overdevelopment, overlooking and impacting upon the amenity of the house located behind the proposed dwellings.

[Officer Note: The Town Council does not explain what they mean by overdevelopment, or what planning-related harm would arise by any perceived overdevelopment, which is purely a descriptive term with no precise meaning. Any perceived overlooking from the new dormer windows could be solved by attaching a condition requiring them to be obscurely glazed, as they serve landings].

REPRESENTATIONS

No representation letters were received at the time of drafting the report.

CONSULTATIONS

Buckinghamshire County Council - Highway Authority

No new comments have been received. The variation of condition 14 relates to the approved drawings and the proposed changes would not impact on the access, access road or parking. It is considered that the changes would not have a material impact in highways terms. Conditions attached to permission CH/2018/0854/FA would be attached to the application.

Building Control - Fire Access

No objection or other comments.

Ecology Officer

No objection.

POLICIES

National Planning Policy Framework (NPPF), 2018.

Core Strategy for Chiltern District - Adopted November 2011: Policies CS4, CS20, CS24, CS25, CS26.

The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011. Saved Policies: GC1, GC3, GC4, H3, H11, H12, TR2, TR3, TR11, TR15, TR16.

EVALUATION

Principle of Development

1. There is no change in the principle of development. The site is located within the built up area of Chesham where in accordance with Local Plan Policy H3, proposals for new dwellings are acceptable in principle subject to there being no conflict with any other Local Plan policy. In addition, the spatial strategy for Chiltern District, in accordance with Policies CS1 and CS2 of the Core Strategy, is to focus development on land within existing settlements and in particular to the built up areas of the main settlements which includes Chesham.

2. The application seeks permission for minor changes to Plots 6 to 9 (the dwellings fronting Chartridge Lane). This report concentrates on those differences.

Design/character & appearance

3. Plots 6-9 are situated at the front of the site adjacent to Chartridge Lane replacing two dwellings, nos. 206 and 208 Chartridge Lane. The overall height, width, scale, spacing and siting of the dwellings has not changed and therefore no new concerns can be raised to these aspects. The only changes are a small increase in depth, by 30cm, changes to the front porches, some timber detailing has been added to the front gables, a slight increase to the eaves of the rear projections, and two small dormer windows in the rear.

4. In terms of the impact on the character of the area, the changes improve the appearance of the approved dwellings. The timber boarding to the gables adds interest, the porches are small in scale, the change to the eaves at the rear results in a much more cohesive design and has minimal impact on the scale of the rear projections, and the dormers are small and largely hidden from view by the rear projections. The changes would clearly have no adverse impact on the character and appearance of the area and would comply with Local Plan policies GC1 and H15 and Core Strategy policy CS20.

Residential amenity

5. Policy GC3 of the Local Plan seeks to achieve good standards of amenity for the future occupiers of the development and to protect the amenities enjoyed by neighbouring properties. The relationship with neighbouring properties in general has been found acceptable through planning permission CH/2018/0854/FA. There are no material changes to the scale of the buildings proposed, therefore it is not possible to introduce any new concerns regarding visual impact on neighbouring properties.

6. The Town Council raise concerns regarding overlooking, presumably from the new dormers now proposed. However, the dormers are very small, and large first floor windows have already been approved, which are set some 5.5m further back in the plot, i.e. much closer to the dwelling on Plot 5 at the rear. To introduce a new concern regarding overlooking from such small dormers, set much further away from neighbours than larger windows already approved, would be spurious and would stand no chance of being defended at appeal. However, notwithstanding the above, if Members are concerned with overlooking from the new dormers, they serve non-habitable areas (landings) and as Members are aware, development should not be refused if conditions overcome any perceived harm. The dormers could be subject to conditions to ensure they are obscurely glazed and non-opening below 1.7m, thereby eliminating any overlooking completely. Officers do not consider such a condition to be necessary, as the dormers are set so much further away from Plot 5 than the first floor windows already approved, and indeed are over 26m away from

the rear boundary with Plot 5. No objections therefore arise in terms of the amenity of neighbouring properties.

Parking/Highway implications

7. It is not proposed to change the parking provision which has been accepted with the approval of planning application CH/2018/0854/FA.

8. The impact of the changes to the proposed development on the local highway network and the proposed access road has not changed and is acceptable.

Ecology

9. The impact of the proposed development on ecology has not changed and conditions attached to planning permission CH/2018/0854/FA have been approved on 21/01/2019.

Trees and Landscaping

10. The impact on trees and any proposed landscaping has not changed. A landscaping scheme has been approved on 21/01/2019 as per condition that was attached to planning permission CH/2018/0854/FA.

Other issues - Fire Access

11. The access road has not changed and Building Control and the Waste Team previously had no objection to the proposal.

12. Bins and boundary treatment/fences have been approved on 21/01/2019 as per condition that was attached to planning permission CH/2018/0854/FA.

Pre-commencement conditions

13. The applicant has agreed to all recommended pre-commencement conditions, as now required under planning legislation.

Working with the applicant

14. In accordance with section 4 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the applicant/agent and has focused on seeking solutions to the issues arising from the development proposal.

Chiltern District Council works with applicants/agents in a positive and proactive manner by:

- Offering a pre-application advice service,
- Updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions.

In this case, Chiltern District Council has considered the details as submitted which were considered acceptable.

Human Rights

15. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Conditional Permission

Subject to the following conditions:-

- 1 C108A General Time Limit

2 Materials to be used for the external construction of the development should be as submitted as part of the application for approval of details reserved by condition PL/18/3925/CONDA approved on 21/01/2019 or as per drawing 1296-P2-2A or similar to the materials approved under PL/3925/CONDA unless written approval is given by the Local Planning Authority for alternative materials.

Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality, in accordance with Policies GC1 and H3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and Policy CS20 of the Core Strategy for Chiltern District (Adopted November 2011).

3 Prior to the commencement of the development the new access shall be laid out in accordance with the approved plans.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway, in accordance with Policies TR2 and TR3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011 and Policies CS25 and CS26 of the Core Strategy for Chiltern District, adopted November 2011.

4 The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter 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, in accordance with Policies TR2, TR3, TR11 and TR16 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011 and Policies CS25 and CS26 of the Core Strategy for Chiltern District, adopted November 2011.

5 All planting, seeding or turfing comprised in the details of landscaping approved on 21/01/2019, as part of application for approval of details reserved by condition PL/18/3925/CONDA, shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In order to maintain, as far as possible, the character of the locality and to ensure biodiversity enhancements and to ensure a good quality of amenity for future occupiers of the dwellings hereby permitted, in accordance with policies GC1, GC4 and H3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and policy CS20 and CS24 of the Core Strategy for Chiltern District (Adopted November 2011).

6 Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Classes A - E of Part 1 of Schedule 2 to the said Order shall be erected, constructed, or placed within the application site unless planning permission is first granted by the Local Planning Authority.

Reason: In order that the Local Planning Authority can properly consider whether any future proposals will be detrimental to the character of the locality or the amenities of neighbouring properties, in accordance with policies GC1, GC3 and H3 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) consolidated September 2007 and November 2011, and policy CS20 of the Core Strategy for Chiltern District (Adopted November 2011).

7 AP01 Approved Plans

INFORMATIVES

1 INFORMATIVE: The applicant is advised that an indemnity will have to be completed that waives all damage liability of the road surface, prior to waste collections commencing.

2 INFORMATIVE: The applicant is advised that the access should be constructed in accordance with Buckinghamshire County Council's guide note "Commercial Vehicular Access within Highway Limits" 2013. In addition the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Development Management at the following address for information:-

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PL/18/4331/FA

Case Officer: Lucy Wenzel
Date Received: 14.11.2018
Parish: Penn
App Type: Full Application
Proposal: **Redevelopment of site to provide three new dwellings with two detached garages and one carport, creation of two new vehicular accesses and associated hardstanding.**
Location: **Woodchester
Woodchester Park
Knotty Green
Buckinghamshire**
Applicant: **Zafiro Homes**

SITE CONSTRAINTS

Article 4 Direction
Adjacent to Unclassified Road
North South Line
Tree Preservation Order
Townscape Character

COMMITTEE CALL IN

The application has been called to the Planning Committee by Councillor Waters, should the recommendation be for approval.

SITE LOCATION

The site is located to the north of Knotty Green along Woodchester Park. The site has been subject to a number of planning applications for the accommodation of new dwellings on site. Within the site surroundings the dominant dwelling type is that of large detached properties sited within spacious plots with a mixed character type.

THE APPLICATION

The application seeks planning permission for the redevelopment of the site (plots 15 and 16) to provide three new dwellings with two detached garages and one carport, creation of two new vehicular accesses and laying of associated hardstanding.

Plot 1 would consist of a detached two storey dwelling with accommodation within the roofspace. It would have a maximum width of 12.3 metres, depth of 13.6 metres and gable fronted hipped roof height of 9.4 metres and an eaves height of 5.3 metres.

Plot 2 would consist of a detached two storey dwelling with accommodation within the roofspace. It would have a maximum width of 12.3 metres, depth of 13.6 metres and gable fronted hipped roof height of 9.4 metres and an eaves height of 5.3 metres.

Plot 3 would consist of a detached two storey dwelling with accommodation within the roofspace. It has a maximum width of 11.5 metres, depth of 16.6 metres and gable fronted hipped roof height of 9.4 metres with an eaves height of 4.3 metres.

The two double detached garages will serve plot 1 and 2. They will have a maximum width of 6.3 metres, depth of 6.5 metres and pitched roof height of 5 metres.

The carport will serve plot 3. It will have a maximum width of 6 metres, depth of 6 metres and pitched roof height of 4.9 metres.

The access would be taken from Woodchester Park.

A Planning Statement and Design and Access Statement have been submitted with this application.

In comparison to the previous planning application all the dwellings have been reduced in height by 750mm and have been sited further forward within their plots by 500mm, thus increasing the rear garden area. The rear projections have been removed, further increasing the garden areas, as well as the dormer windows which were proposed to be sited on the rear roof slopes of all three dwellings.

RELEVANT PLANNING HISTORY

CH/2011/1283/SA. Application for a Certificate of Lawfulness for a proposed operation relating to the erection of three detached dwellings and garages (Plots 14, 15 and 16) as approved under application reference CH/1989/1316/OA and CH/1989/2497/DE. Certificate granted.

CH/2012/0782/FA. Demolition of existing dwelling and erection of five detached dwellings and garages, refused permission.

CH/2012/1807/FA. The application proposes the demolition of the existing dwelling and the erection of five detached dwellings and garages, refused permission. Subsequent Appeal Dismissed:

Due to the scale, orientation and proximity to side boundary Plot 17 would overwhelm and dominate the outlook from the rear garden and impair living conditions at No.4 Latimer Way to a significant degree.

Due to the depth, height and proximity to side boundary Plot 18 would have an overbearing effect on the occupiers of Hawthorn House when in the rear garden and rear conservatory and impair living conditions of these neighbours to a significant degree.

CH/2013/1906/FA. Redevelopment of site to provide three dwellings and one detached garage, creation of two new vehicular accesses and laying of associated hardstanding, conditional permission.

CH/2016/0914/FA - Redevelopment of site to provide two dwellings and one detached garage, creation of two new vehicular accesses and laying of associated hardstanding (amendment to Plots 15 and 16 of planning permission CH/2013/1906/FA), conditional permission subject to a legal agreement.

CH/2018/0122/FA - Redevelopment of site to provide two new dwellings and one detached garage, creation of two new vehicle accesses and laying of associated hardstanding (amendment to planning permission CH/2016/0914/FA), conditional permission subject to a legal agreement.

PL/18/2774/FA - Redevelopment of site (Plots 15 and 16) to provide three new dwellings with two detached garages and one carport, creation of two new vehicular accesses and laying of associated hardstanding, refused permission by reason of the proposed dwellings heights, scale and rear garden depths resulting in the dwellings appearing as cramped and out of keeping with surrounding residential development.

PARISH COUNCIL - (Received on the 18th December 2018)

"Concern - we are not happy about the creeping development on this site. An application for 5 houses was refused on appeal; we now have 5 houses plus four flats. The Appeal decision should be confirmed." [Officer

Note: this is a simplistic view, as the specific concerns in the appeal decision have to be noted. It is not as simple as just refusing the same number of dwellings as previously proposed.]

REPRESENTATIONS

Two letters of objections have been received which have been summarised below:

- There will be huge detrimental impacts from the increase from two to three dwellings on a modest 0.23 hectare plot.
- The properties are too dense, too high, too close and too obtrusive.
- There is an intensification of the site.
- The density and footprint would fail to respect the spacious pattern of neighbouring development.
- The proposal is cramped.
- The proposal is out of keeping with the local character and appearance.
- The proposal will overwhelm Woodchester Park and create high-density housing.
- The development will be an eyesore.

One letter of comment has been received which is summarised below:

- Replanting of trees along the rear boundary needs to be conditioned.
- The removal of PD rights should be considered should permission be granted to ensure that additional extensions or roof additions cannot be freely added.
- The dwellings have been scaled back from the previous application but the outdoor space is hugely at odds with the scale of the properties.

CONSULTATIONS

Chiltern and South Bucks Building Control - Fire Fighting Access

'Further to your letter dated 17th August 2018 concerning the above application, having studied the documentation online I am able to confirm that the proposed design appears satisfactorily with regard to the requirements for Fire Brigade Access. Disabled access and facilities appear adequate.'

Chiltern District Tree Officer

'Tree Preservation Order No 5 of 2012 protects a group of three pines and a sycamore, and a group of four pines and a maple on the front boundary of the application site, as well as a horse chestnut beside Latimer Way. The application does not include the further revision of the Arboricultural and Planning Integration Report that was submitted under the refused application PL/18/2774/FA but it does include some landscaping proposals.

Most of the trees within the site have been cleared since planning permission CH/2016/0914/FA was approved including the line of golden cypresses G2, for which the proposals were not clear in that application. However most of the larger trees around the boundaries remain and there is now hoarding along the front boundary. There has been some re-grading of the ground levels to remove the bank at the edge of the old tennis court on Plot 16 and there are now piles of soil and rubble over this tennis court area.

Since CH/2018/0122/FA was granted permission earlier this year the new access for Plot 16 has been constructed and there has been some further tree removal on the site. Two beech trees shown for retention under the previous applications have now been removed. These are T5 beech and the beech tree in G7 that was within the site, using the numbers from the earlier tree survey. Both were useful amenity trees that also provided screening from Hawthorn House. In addition the laurel on the rear boundary of Plot 16 has been removed leaving only a few poor cypresses.

The current application proposes three houses on Plots 15 and 16 similar to PL/18/2774/FA but with minor changes to reduce their sizes. Plot 1 would use the new access proposed under CH/2018/0122/FA whereas Plots 2 & 3 would both use the recently-constructed access for Plot 16.

No additional trees are shown for removal but trees at the rear of the site have been removed and the re-grading of the levels close to the front boundary trees is likely to have caused some root damage. One of the

TPO Scots pines on this boundary has recently died, perhaps related to root damage and another tree is showing signs of decline. The Tree Preservation Order would require that this should be replaced.

The proposals show double garages for Plots 1 & 2 within the root protection areas of the TPO trees and there was a general statement in section 6.7 of the revised Arboricultural and Planning Integration Report submitted under PL/18/2774/FA that these would use "specialised foundations to minimise root disturbance". The revised Arboricultural and Planning Integration Report and the Tree Protection Plan also showed no-dig construction and ground protection measures in these areas to reduce future root damage but it is likely that some damage has already occurred.

The application includes some landscape proposals, particularly for adding screening along the rear of the plots. This includes a line of pleached holm oaks 4.2m in height along the boundary of Plot 1 with the proposed apartments at the rear of the site. The plan also shows some additional planting of pleached holm oaks within the garden of The Hawthorns, but this planting would be outside the control of the application. There would be six trees planting within the site adjacent to Hawthorn House within Plots 1 and 2. These would consist of three Magnolias 6m in height, two alders 6m in height and a holm oak 5m in height. These planting proposals should in combination provide a significant improvement in the screening between the properties. The plan also shows nine western red cedars 4.5m in height along the rear boundary of Plot 3 to replace the laurels removed with an additional tree within Tinkersfield. I note that the Woodchester Tree Summary document shows some different tree planting proposals from those shown on the Landscape Design plan, and that the Deciduous Trees document and the Evergreen Trees documents show several species not included in the proposals.

Along the front of the site and along the internal boundaries within the site, the landscaping plan shows the planting of Portugal laurels 1.5-1.75m in height as hedging. This would need to be carried out with care to avoid root damage to the trees by the road. There would also be various ornamental shrubs in front of the proposed houses.

Overall I have concerns about the increasing tree loss on the site and the increasing stress on the retained trees but theoretically the current proposal should have little additional impact on the remaining trees if all the precautions listed in the tree report submitted under PL/18/2774/FA are followed. Consequently I would not object to the application provided there is adequate protection for the retained trees including appropriate foundations and levels for the garages. There should also be suitable replacement planting for the trees removed on the rear boundary and submitted proposals seem reasonable.'

Buckinghamshire County Council Highway Authority

'I note that the Highway Authority has provided previous comments for this site, most recently for application no. PL/18/2774/FA which proposed redevelopment of site (plots 15 and 16) to provide three new dwellings with two detached garages and one carport, creation of two new vehicular accesses and laying of associated hardstanding. In a response dated 28th August 2018, the Highway Authority had no objection subject to conditions.

It is considered that the application does not materially differ from that submitted under the previous scheme PL/18/2774/FA.

In terms of trip generation, I would expect each new dwelling to generate between 4-6 daily vehicular movements (two-way). Therefore, the three dwellings have the potential to generate in the region of 18 daily vehicular movements (two-way). I am satisfied that these vehicular movements can be accommodated within the local highway network.

The three dwellings would be served by two access points. In accordance with guidance contained within Manual for Streets, visibility splays of 2.4m x 43m are required in both directions commensurate with a speed limit of 30mph. I am satisfied that sufficient visibility splays can be achieved from both access points within land owned by the applicant or within the extent of the publicly maintained highway.

Within the limits of the site there is adequate turning and manoeuvring space to ensure that all vehicles enter and egress in a forward gear, without the risk of a vehicle having to wait and reverse onto the highway. I trust

in the Local Planning Authority to make an informed decision on the quantum of parking required for this scale in development.

Mindful of the above, I have no objection to the proposals subject to conditions.'

POLICIES

National Planning Policy Framework (NPPF), July 2018.

Core Strategy for Chiltern District - Adopted November 2011: Policies CS4, CS8, CS20, CS24, CS25, CS26, CS31 and CS32.

The Chiltern Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011: Saved Policies GC1, GC3, GC4, H3, H11, H12, H18, TR2, TR3, TR11, TR16 and TW3.

Sustainable Construction and Renewable Energy Supplementary Planning Document (SPD) - Adopted 25 February 2015

EVALUATION

Principle of Development

1. The site is located within the built up area of Knotty Green where, in accordance with Local Plan Policy H3 of the Adopted Chiltern District Local Plan, proposals for new dwellings are acceptable in principle, provided there is no conflict with any other policy in the Development Plan, and providing that the proposed development is compatible with the character of those areas by respecting the general density, scale, siting, height and character of buildings in the locality and the presence of trees, shrubs, lawns and verges.
2. In addition, Core Strategy Policy CS20 also states that the Council will require that new development within the District is of a high standard of design which reflects and respects the character of the surrounding area and those features which contribute to local distinctiveness. All other relevant Development Plan Policies should be complied with.
3. The current proposed scheme seeks permission for the erection of three detached dwellings with two detached garages and a detached car port. The previous planning application (reference PL/18/2774/FA) was refused by the Planning Committee for two reasons:

"By reason of their height, scale and rear garden depths the proposed dwellings would appear cramped and out of keeping with surrounding residential development. The rear gardens to serve the dwellings would also be of insufficient depth to meet the minimum standard set out in Local Plan Policy H12. Furthermore, the dwellings, by reason of their siting in proximity to the rear boundaries, their overall height, scale and elevated position relative to the properties to the rear (Hawthorn House and Tinkersfield), including dormer windows in the rear roof space, would result in undue overlooking and appear overbearing resulting in an adverse outlook to these neighbouring properties. The proposal would therefore have a detrimental impact on the character and appearance of the area and would be detrimental to the amenities of Hawthorn House and Tinkersfield and the future occupiers of the development. As such, the proposal is contrary to Policies GC1, H3, GC3 and H12 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011 and Policy CS20 of the Core Strategy for Chiltern District (Adopted November 2011)."

"The proposal seeks planning permission for the erection of three dwellings and forms part of a larger site which measures over 0.5 hectares. As such, having regard to the threshold set out in the National Planning Policy Framework (2018), a financial contribution of £75,000 towards affordable is required to meet Core Strategy

Policy CS8. Such a financial contribution would need to be secured by way of a Legal Agreement. No such Legal Agreement has been completed and there is therefore no mechanism to provide the required affordable housing contribution. As such the application is contrary to Policy CS8 of the Adopted Core Strategy for Chiltern District (November 2011)."

The current proposed application seeks to address the previous reasons for refusal.

Design/character & appearance

4. The current proposal shows the three dwellings in a similar position to the previous proposal. The dwellings have been reduced in scale by the removal of the rear projections which were present on Plots 1, 2 and 3. The removal of these rear projections has reduced the overall scale of the dwellings and has increased the suitability of the design, scale and spread in relation to the plot size. The garages and car port have not been altered from the previous application but as no concerns or comments were raised in relation to these there is no reason to add concern. To further contribute to a reduction in scale the rear dormers have been removed which reduce the overall visual bulk of the dwellings. Plots 1 and 2 proposed two rear dormers whilst Plot 3 proposed one but with these being altered to rooflights this is considered to be a positive improvement to the proposed dwellings and one which contributes to addressing one of the reasons for refusal. Additionally there has been a reduction in overall ridge height for all three dwellings proposed by 750mm. When viewing the dwellings within the context of its surroundings this reduction enables them to fit more cohesively and sensitively into the street scene.

5. Given that the proposed dwellings have reduced in scale, they correspond more positively to the surrounding street scene of Woodchester Park and to Plots 14A and 14B which have been granted planning permission to the north of the application site. The visual style, form and design of the dwellings remains similar with projecting principal elevation gables, chimneys and mixed nature of external materials. The visual coherence of the proposed dwellings to the surrounding street scene and character of Woodchester Park is positive and does not negatively affect the existing character levels. Additionally, the proposed dwellings would be of similar height to others along Woodchester Park and when viewed in comparison to the existing street scene and that which will occur from the erection of 14A and 14B to the north, the design, form, proportions and appearance of the proposed dwellings are considered compatible with the character of the existing locality.

Neighbouring Amenity

6. One of the previous reasons for refusal was regarding the overall height of the dwellings, resulting in an adverse outlook for the neighbouring dwellings to the rear. The current proposed dwellings have been reduced in overall height by 750mm which reduce their visual presence. It should be noted that the two proposed dwellings on site which were granted permission (reference CH/2018/0122/FA) had a ridge height greater than what is currently proposed and so from what has already gained permission there is a reduction in the height of built form on site. It would therefore not be possible to continue to object in this regard.

7. Mentioned within one of the previous reasons for refusal is the proximity of the siting of the dwellings to the rear boundaries (Hawthorn House and Tinkerfield). The dwellings have been moved forward within their respective plots and the rear projections and dormers have been removed. This considerably reduces the proximity of the dwellings to the rear boundary line and creates a greater separation distance between the proposed three dwellings and the two existing rear neighbouring properties. Additionally, substantial screening has also been proposed along the rear boundary line of the site and this will aid in reducing any impact to existing amenity levels. Given the siting and separation between the proposed dwellings and the rear neighbouring properties, it is considered that resultant relationship is acceptable and this previous objection has been overcome.

8. The proposed rear amenity space varies for each of the proposed plots and have increased since the last application by considerable distances. Plot 3 has a maximum depth of around 15 metres with Plots 1 and 2 measuring 18 metres and 14 metres retrospectively. It was stated in one of the reasons for refusals that the rear gardens to serve the dwellings are of an insufficient depth to meet the minimum standard set out in Policy H12. The level of rear amenity space now proposed is notably greater than the previous scheme and mostly accords with Policy H12. This objection has been overcome.

Parking/Highways implications

9. Two access points are proposed to facilitate the three dwellings. Taking note of the Highways comments, it is considered that the access points can achieve the required visibility splays and the highway can satisfactorily accommodate the increase in vehicular movements. Plots 1 and 2 are proposed to have double garages with plot 3 having a double carport. With the dwellings measuring at over 120 square metres in footprint, three parking spaces are required to meet the parking standard in Policy TR16. With two spaces per dwelling being able to be accommodated within the garages/car port, the hardstanding sited to the front of all three dwellings can house the additional spaces required. Therefore there are no concerns raised.

Trees

10. No objections were raised to the previous application regarding the impact on trees. The Tree Officer has stated that there is no objection in principle as the proposal should have little impact on the remaining trees on site if all of the precautions shown on the submitted drawing 1155:L02 are followed. Therefore there are no objections provided that adequate protection is implemented for the retained trees and suitable replacement planting (as shown on submitted plans 18 ZWPT SP02 G and 1155:L02) for the trees removed along the rear boundary during the construction process. Conditions on the planning permission will ensure that no harm comes to the existing trees on site and that the trees as shown on the site plan are planted along the rear boundary edge.

Affordable Housing

11. As the proposal seeks planning permission for the erection of three dwellings on site and as the application site forms part of a larger site in Woodchester Park, the combination of site areas measures at over 0.5 hectares. As such, in line with the NPPF the applicant must enter into a unilateral undertaking to pay a total of £75,000 towards off-site affordable housing for this proposal based on a contribution of £25,000 per plot. The applicant has confirmed a willingness to enter into such an agreement.

Conclusion

12. Assessing all of the relevant submitted plans and additional information it is considered that the current proposal addresses both previous reasons for refusal associated with the previous planning (reference PL/18/2774/FA) and subsequently the proposal is considered to be acceptable.

Working with the applicant

13. In accordance with Section 4 of the National Planning Policy Framework, the Planning Authority, in dealing with this application, has worked in a positive and proactive way with the Applicant / Agent and has focused on seeking solutions to the issues arising from the development proposal. The local planning authority works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions.

In this case, Chiltern District Council has considered the details as submitted which were considered acceptable.

Human Rights

14. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Defer-minded to approve subject to the prior completion of Legal Agreement. Decision delegated to Head of Planning & Economic Development

Subject to the following conditions:-

1 C108A General Time Limit

2 Before any construction work commences above ground level, named types, or samples of the facing materials and roofing materials to be used for the external construction of the development hereby permitted shall be made available to and approved in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality.

3 No development shall take place until an Arboricultural Method Statement, which shall include a Tree Protection Plan, has been submitted to and approved in writing by the Local Planning Authority, which shall detail all work within the root protection areas of the retained tree and hedges. This statement shall include details of protection measures for the trees and hedges during the development, and information about any excavation work, any changes in existing ground levels and any changes in surface treatments within the root protection areas of the trees, including plans and cross-sections where necessary. In particular it shall show details of specialised foundations, ground protection measures and no-dig construction where appropriate. The work shall then be carried out in accordance with this method statement.

Reason: To ensure that the existing established trees and hedgerows in and around the site that are to be retained, including their roots, do not suffer significant damage during building operations, in accordance with Policy GC4 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011.

4 No tree or hedge shown to be retained on the Tree Protection Plan approved under condition 3 shall be removed, uprooted, destroyed or pruned for a period of five years from the date of implementation of the development hereby approved without the prior approval in writing of the Local Planning Authority. If any retained tree or hedge is removed, uprooted or destroyed, or dies during that period, another tree shall be planted of such size and species as shall be agreed in writing by the Local Planning Authority. Furthermore, the existing soil levels within the root protection areas of the retained trees and hedges shall not be altered.

Reason: To ensure the retention of the existing established trees and hedgerows within the site that are in sound condition and of good amenity and wildlife value, in accordance with Policy GC4 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011.

5 Prior to occupation, a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme should be at a scale of not less than 1:500 and include full details of species and heights. The landscaping should then take place in accordance with the approved details.

Reason: In order to maintain, as far as possible, the character of the locality.

6 Before any construction work commences, full details of the means of enclosure to be retained and erected along all external boundaries of the site and between the individual gardens of the approved dwellings shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure along the external boundaries of the site shall be constructed, erected or planted prior to the

commencement of any other construction work on the site and the approved means of enclosure between the individual gardens shall be erected prior to the occupation of that dwelling and shall be maintained as such thereafter.

Reason: To safeguard the visual amenities of the locality and the privacy of the adjoining properties.

7 No other part of the development shall begin until the new means of access to serve Plots 1, 2 and 3 have been sited and laid out in accordance with the approved drawing.

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

8 The scheme for parking, garaging and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose. The garages shall not be converted to provide habitable accommodation at any time.

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 and to protect

9 Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) no development falling within Classes A to B of Part 1 of Schedule 2 to the said Order shall be erected, constructed, or placed within the application site, unless planning permission is first granted by the Local Planning Authority.

Reason: In order that the Local Planning Authority can properly consider whether any future proposals will constitute overdevelopment of the site or will in any other way be detrimental to the character of the locality or the amenities of neighbouring properties.

10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order, with or without modification), no windows/rooflights/dormer windows or openings other than those expressly authorised by this permission shall be inserted or constructed at any time at first floor level or above in the three dwellings hereby permitted.

Reason: To protect the amenities and privacy of the adjoining properties.

11 AP01 Approved Plans

INFORMATIVES

1 INFORMATIVE: The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A period of 28 days must be allowed for the issuing of the licence, please contact the Area Manager at the following address for information or apply online via Buckinghamshire County Council's website at

<https://www.buckscc.gov.uk/services/transport-and-roads/licences-and-permits/apply-for-a-dropped-kerb/>

Transport for Buckinghamshire (Streetworks)
10th Floor, New County Offices
Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
01296 382416

2 INFORMATIVE: It is contrary to section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development shall therefore be so designed and constructed that surface water from the development shall not be permitted to drain onto the highway or into the highway drainage system.

3 INFORMATIVE: It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

4 INFORMATIVE: The applicant is advised that no vehicles associated with the building operations on the development site should be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.

PL/18/4461/FA

Case Officer: Emma Showan
Date Received: 26.11.2018
Parish: Penn
App Type: Full Application
Proposal: Demolition of existing and erection of new dwelling.
Location: Little Coppice
Church Road
Penn
High Wycombe
Buckinghamshire
HP10 8NX
Applicant: Mr & Mrs J Kilgour

Decide by Date: 11.02.2019
Ward: Penn And Coleshill

SITE CONSTRAINTS

Article 4 Direction
Adjacent Conservation Areas
Adjacent to A and B Road
Area of Special Advertising Control
Within Chilterns Area of Outstanding Natural Beauty
Archaeological site
Adjacent Public Footpaths and Public Rights Of Way
Biodiversity Opportunity Areas
Conservation Area
Within Green Belt other than GB4 GB5
North South Line
A and B Roads
Within 500m of Site of Importance for Nature Conservation NC1
GB settlement GB4,6,12,23,H7,13,19

CALL IN

Councillors Burton and Waters have requested that this application be determined by the Planning Committee if the Officer recommendation is to approve.

SITE LOCATION

This application relates to a site located off Church Road, outside of the settlement of Penn. The property is designated as falling within an established row of dwellings in the Green Belt and it also falls within the Chilterns Area of Outstanding Natural Beauty. The property is accessed via a private driveway serving three properties with the dwelling being sited to the rear of other residential dwelling fronting Church Road. The properties fronting Church Road all form part of the Penn Conservation Area with the Applicant dwelling falling outside of this designation. Given the siting of the application site, the existing dwelling is not easily visible from the public highway and it occupies a plot with mature vegetation and trees at all four boundaries.

THE APPLICATION

The application proposes the demolition of the existing dwelling and its replacement with a new dwelling.

Classification: OFFICIAL

The proposed dwelling would have a maximum width of 20.7 metres, depth of 18 metres and pitched roof height of 9.9 metres, with an eaves height of 5.2 metres.

The dwelling would accommodate six bedrooms over three stories and would be located on the footprint of the existing dwelling.

The access arrangements would remain as existing.

RELEVANT PLANNING HISTORY

CH/1995/0749/FA - Alterations and two dormer windows in rear elevation, conditional permission.

PARISH COUNCIL

Objection - over development of the plot, style and size inelegant and out of keeping with the adjacent historic Conservation Area. Proposals will affect views into and out of the Conservation Area, Green Belt and AONB.

REPRESENTATIONS

One letter of objection received which can be summarised as follows:

- Access to the site is inadequate for the construction traffic that would be required in connection with the development

CONSULTATIONS

Archaeological Officer: 'The nature of the proposed works is such that they are not likely to significantly harm the archaeological significance of the asset(s). We therefore have no objection to the proposed development and do not consider it necessary to apply a condition to safeguard archaeological interest.'

Building Control Officer: 'I can confirm I have examined the documents associated with this application and it appears to be compliant with Part M of the Approved Documents "Access to and use of Buildings".'

Highways Officer: 'The proposed development has been considered by the County Highway Authority who has undertaken an assessment in terms of the impact on the highway network including net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway objections.'

Strategic Access Officer: 'I have no comments from a rights of way perspective.'

Waste Management Officer: 'Residents to present their refuse and recycling receptacles on Church Road. Crews will not enter or access the long drive.'

Wycombe District Council: 'No objections'.

POLICIES

National Planning Policy Framework, 2018.

Core Strategy For Chiltern District - Adopted November 2011: Policies CS4, CS5, CS8, CS10, CS11, CS20, CS22, CS24, CS25, CS26, CS31 and CS32.

Classification: OFFICIAL

The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011: Saved Policies GC1, GC3, GC4, GB4, GB6, H3, H12, H18, AS2, CA2, TR11, and TR16.

Affordable Housing Supplementary Planning Document (SPD) - Adopted 21 February 2012.

Sustainable Construction and Renewable Energy SPD - Adopted 25 February 2015.

EVALUATION

Principle of development

1. The application site is located in the Green Belt, within a Defined Row of Dwellings, as designated by Development Plan Policy GB4, where the Council will accept the rebuilding or replacement of an existing habitable dwelling provided that all of the following criteria are met:
 - The siting of the dwelling to be rebuilt or replaces is the same or similar to the siting of the existing habitable dwelling and the curtilage of the development site is the same as the curtilage of the dwelling to be rebuilt or replaced
 - Policies GC1 and GC4 and other policies are complied with
 - On sites that are within a Conservation Area, the Conservation Area Policies in the Historic Heritage Chapter of the Local Plan should also be satisfied even if a development is acceptable under the general criteria of this Policy
 - If the existing habitable dwelling is a Building of Special Architectural or Historic Interest, consent for demolition will be refused in accordance with Policy LB3
2. The site is also located within the Chilterns Area of Outstanding Natural Beauty (AONB) where development should conserve, and where considered appropriate and practicable, enhance the special landscape character and high scenic quality of the AONB. The site is also adjacent to the Penn and Tylers Green Conservation Area where Local Plan Policy CA2 states that proposed development should preserve or enhance the important views within, looking out of, or into a Conservation Area.
3. All other relevant Development Plan policies should also be complied with.

Design/character and appearance

4. The application site is located off Church Road, a residential road that passes through the centre of Penn and links this settlement to Beaconsfield and Hazlemere. The road is characterised by ribbon development along both sides and forms part of the Penn and Tylers Green Conservation Area. The development along the road is varied in type and character with properties backing onto open countryside and the open Green Belt.
5. The application site comprises a substantial detached property (with accommodation in the roofspace) which is sited within considerable and heavily screened grounds. The dwelling was erected in the 1950s and is not of special architectural merit. It is accessed via a private access serving three properties off Church Road and the dwelling is therefore sited to the rear of existing properties fronting Church Road. It is not easily visible from the public highway. Furthermore, the site falls outside of the Conservation Area and outside of the open Green Belt. It shares boundaries with a number of other large residential properties set within considerable grounds.
6. It is proposed to demolish the existing dwelling and to erect a new dwelling in its place. The new dwelling would be sited on the same footprint as the existing property and would have the same orientation. It would also contain habitable accommodation over three levels and within the roof space. The proposed design is fairly traditional, encompassing pitched roof dormers and gabled roofs. Given the variety of property

types in the locality, and the presence of other large substantial properties in close proximity to the application site, the scale and design of the dwelling are not considered to be excessive or out of keeping with local character. Furthermore it is noted that the existing dwelling is fairly substantial in its width and height, with accommodation already being accommodated at third floor level. The proposed height of the dwelling or the fact that it would encompass accommodation within its roofspace is therefore not at variance with the existing dwelling.

7. In addition, the plot and residential curtilage would remain as existing, with in excess of 5 metres being retained between the flank walls of the dwelling and the plot boundaries. This would ensure that the property does not appear cramped within its site. Sizeable gardens to the front and back of the property would be retained, further ensuring that the dwelling is appropriate sized for the size of the plot.

8. The Parish Council have raised concern that the proposal would affect views into the adjacent Conservation Area, Green Belt and AONB. It is not clear where these views would be from or what any harm would be. The proposed dwelling would remain sited approximately 65 metres away from Church Road and it would not have a frontage onto this road either. It would be sited to the rear of other existing residential properties fronting Church Road so the proposal would not be easily visible from Church Road or other public areas within the Conservation Area. It would therefore clearly not impact on any important views into the Conservation Area. In terms of the impact of the proposal on the Green Belt, the dwelling would remain surrounded by other residential properties, including residential properties at both side elevations and to the rear. It is also noted that the dwelling does not fall within the open Green Belt but within an Established Row of Dwellings in the Green Belt where the rebuilding or replacement of an existing habitable dwelling is acceptable.

9. Finally, the proposal seeks to remove some existing conifers at the side boundaries. These trees are not protected and could be removed at any time. They are not native trees and nor do they form part of the Conservation Area. In addition, another tree line would be retained at the boundaries and it is therefore considered that the site would retain its green and rural character.

10. No objections are raised regarding the character of the replacement dwelling or its impact on the character/appearance of the locality.

Residential amenity

11. The proposed dwelling would be sited on the same footprint as the existing dwelling. It would be sited away from all of its boundaries and adequate separation would be maintained between the dwelling and the nearest neighbouring properties. This would ensure that the proposal would not appear overly prominent or overbearing to any neighbouring properties. In addition, no intrusive windows are proposed. No objections are therefore raised in regards to the impact of the proposal on neighbouring amenities.

12. With regard to private amenity space, the dwelling would retain a front garden with a depth of 50 metres and a rear garden with a depth of 50 metres also. This is considered to be adequate and no objections are raised.

13. The waste and recycling arrangements would remain as existing.

Parking/highways implications

14. The replacement dwelling would retain sufficient parking within the proposed garage and on the hardstanding to the front to accommodate in excess of three vehicles.

15. The access arrangements would remain as existing, with the replacement dwelling relying on continued use of a private access onto Church Road. The County Highways Officer has assessed this arrangement and confirmed that there are no highway objections to the proposal.

16. It is noted that there has been a neighbour representation raising concern that the proposed access may not be sufficient to accommodate construction vehicles required in association with any works on site. This is not a material planning consideration and it would be up to the developer to utilise suitable vehicles for the nature of the access.

Working with the applicant

In accordance with Chapter 4 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant / Agent and has focused on seeking solutions to the issues arising from the development proposal.

Chiltern District Council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service,
- updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions.

In this case, Chiltern District Council has considered the details as submitted which were considered acceptable.

Human Rights

The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Conditional Permission

Subject to the following conditions:-

1 C108A General Time Limit

2 Before any construction work commences above ground level, details of the facing materials and roofing materials to be used for the external construction of the dwelling hereby permitted and any hard landscaping within the site shall be submitted to and approved in writing by the Local Planning Authority and the works shall be carried out in accordance with these details.

Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality.

3 Prior to occupation of the dwelling, space shall be laid out within the site for parking for cars, loading and manoeuvring, in accordance with the approved plans. This area shall be permanently maintained for this 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 AP01 Approved Plans

PL/18/4680/FA

Case Officer: Tiana Phillips-Maynard
Date Received: 10.12.2018
Parish: **Great Missenden**
App Type: Full Application
Proposal: **Single storey front extension**
Location: **Ladymede
Grimms Hill
Great Missenden
Buckinghamshire
HP16 9BG**
Applicant: **Mr & Mrs Peter Martin**

Decide by Date: **04.02.2019**
Ward: **Great Missenden**

SITE CONSTRAINTS

Article 4 Direction
Within Chilterns Area of Outstanding Natural Beauty (AONB)
Critical Drainage Area
North South Line
Within 500m of Special Interest for Nature Conservation NC1
Townscape Character
Established Residential Area of Special Character

CALL IN

No. However the application has been referred to the Planning Committee as the applicants are Chiltern District Councillors.

SITE LOCATION

The site accommodates a dwelling within a large plot. The dwelling has staggered elevations with projecting gable features, and benefits from a detached double garage. The locality is characterised by large dwellings set within large plots in an established leafy setting along a private road.

THE APPLICATION

The application seeks planning permission for the erection of a single storey front extension.

The extension comprises a staggered double elevation with maximum depth of 2.65m and maximum width of 7.3m. A double gable roof is proposed with the eastern element proposing eaves to 2.3m and ridge to 4.1m, and the western element proposing eaves to 2.5m and ridge to 4.7m.

RELEVANT PLANNING HISTORY

CH/1981/0798/FA - Erection of single storey hall and porch extension and creation of new vehicular access. Conditional Permission, implemented.

CH/2013/0083/FA - Part two storey, part first floor side extension incorporating porch canopy.

CH/2015/1993/FA - Demolition of outbuildings, erection of single storey side extension to garage, detached greenhouse, new entrance gates to both access points and retaining wall.

PARISH COUNCIL

No objection (received 15.1.19).

REPRESENTATIONS

None received at time of drafting report (25.1.19).

CONSULTATIONS

None relevant.

POLICIES

National Planning Policy Framework.

Core Strategy for Chiltern District - Adopted November 2011: Policies CS4, CS20, CS22.

The Chiltern Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011: Saved Policies GC1, GC3, LSQ1, H13, H14, H15, TR11, TR16.

Residential extension and householder development Supplementary Planning Document (SPD) - September 2013.

Sustainable Construction and Renewable Energy SPD - Adopted 25 February 2015.

Chilterns Building Design Guide.

EVALUATION

Principle of development

1. The application site is located within an Established Residential Area of Special Character (ERASC) where extensions to dwellings are acceptable in principle subject to maintaining the special character in accordance with Local Plan Policy GC1(h) as well as complying with relevant Development Plan Policies. In addition, the site lies within the Chilterns Area of Outstanding Natural Beauty (AONB) where proposals should conserve the high scenic quality of the AONB.

Design/character & appearance

2. The application site accommodates a detached dwelling with staggered elevations. The proposed extension maintains this character by proposing a staggered front elevation, with the double gable roof reflecting the main roof form and maintaining the character. The proposal is considered subordinate in size and scale and satisfactorily integrates with the dwellinghouse. The dwelling benefits from a generous front setback within a spacious setting. This setback would be reduced, however, given the proposed size it would not be to the detriment of the spacious setting and would not appear overly prominent within the streetscene. It is therefore considered the proposal would not have a detrimental impact on the character or appearance of the ERASC and conserves the quality of the AONB.

Residential amenity

3. Given the siting and relationship to adjoining dwellings, it is not considered there would be any adverse implications regarding privacy or amenity of neighbouring properties.

Parking/Highway implications

4. The site benefits from ample parking, and no objections are raised in this regard.

Conclusions

5. The application has been assessed against the Development Plan and is considered acceptable, subject to conditions.

Working with the applicant

6. In accordance with section 4 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant / Agent and has focused on seeking solutions to the issues arising from the development proposal.

7. Chiltern District Council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service,
- updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions.

In this case, Chiltern District Council has considered the details as submitted which were considered acceptable.

Human Rights

8. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Conditional Permission

Subject to the following conditions:-

- 1 C108A General Time Limit
- 2 C431 Materials to Match Existing Dev
- 3 AP01 Approved Plans

The End

Appeal Decision

Site visit made on 12 November 2018

by Susan Wraith Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 January 2019

Appeal Ref: APP/X0415/X/18/3194957

34 Bellingdon Road, Chesham, Buckinghamshire, HP5 2HA

- The appeal is made under s195 of the Town and Country Planning Act 1990 [hereafter "the Act"] as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development [hereafter "LDC"].
 - The appeal is made by Mr & Mrs Michael & Celia Paterson against the decision of Chiltern District Council.
 - The application no: CH/2017/2194/SA, dated 27 November 2017, was refused by notice dated 19 January 2018.
 - The application was made under s192(1)(b) of the Act.
 - The development for which an LDC is sought is: Loft conversion with new loft dormers, rooflights in main roof, and new side facing window to first floor.
-

Decision

1. The appeal, insofar as it relates to the loft dormers, is dismissed. However, insofar as it relates to the rooflights in the main roof, the appeal is allowed and attached to this decision is an LDC describing the proposed operation which is considered to be lawful.

Preliminary matters

2. The new side facing window to the first floor, comprised in the application, has already been granted an LDC by the Council. Under s192(4) of the Act its lawfulness at the date of the application is conclusively presumed. Therefore, this is not a matter that I need to consider further. For the purpose of this determination I shall focus upon the other elements of the proposal.
3. The relevant date for this determination of lawfulness is the date of the application, i.e. 27 November 2017. The matter to be decided upon is whether the works would have been lawful if implemented at that date. Whilst the relevant date is in the past I shall write in the present tense for ease of reading.
4. The planning merits of the matter applied for, including the extent to which the development can be seen, its effect upon the living conditions of neighbours and the occurrence of other similar neighbouring developments¹, do not fall to be considered. The decision will be based strictly upon the facts of the case and relevant planning law.

¹ The roof extensions at 30 and 32 Bellingdon Road were (according to the Council) the subject of planning applications rather than LDC applications.

5. In making this decision I shall have regard to "Permitted development for householders, Technical Guidance (April 2017)" [hereafter "the Technical Guidance"]. Whilst not a definitive statement of the law the Technical Guidance should, as a general rule, be followed unless there are clear reasons why it does not apply in the circumstances of any particular case.
6. The burden of proof in an LDC appeal is upon the appellant. The standard of proof is one of balance of probability.

Main issue

7. The main issue is whether the Council's decision to refuse an LDC was well-founded. The decision turns on whether the proposal is "permitted development" under Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) [hereafter "GPDO"].

Reasons

8. The appellant considers that the development is permitted development under Class B². I have no reason to disagree with the appellant's conclusion that the works as a whole comply with the terms of Class B.
9. However, the Technical Guidance, at page 8, says that in order to be permitted development a proposal must meet all the limitations and conditions under each Class relevant to the proposal and that it is essential that any proposed household development is considered in the context of the permitted development rules as a whole in order to determine whether it benefits from permitted development rights. Therefore, it does not necessarily follow that, because the works comply with Class B, they are permitted development. The works can only be permitted development under Class B if they amount to "an addition or alteration" to the "roof" of the dwellinghouse and nothing more; and that is a matter of fact and degree.
10. The appeal property is one of a pair of semi detached properties. It has a two storey outrigger to the rear mirroring that at the neighbouring property (number 36), both sharing a party wall³. The combined outriggers have a shared dual pitch roof, both slopes rising to a ridge along the line of the common boundary. The ridge height of the outrigger is significantly lower than the ridge height of the main roof. Also the eaves of the outrigger are lower than the eaves of the main roof.
11. The enlargement, which is "L" shaped, takes the form of a dormer extending across a sizable part of the width of the existing rear roof slope and then outwards across the roof slope of the outrigger. Whilst appearing to retain the outrigger eaves together with a small strip of roof, much of the existing outrigger roof would be lost.
12. The enlargement, in part, utilises the existing party wall, and (insofar as its skin to the appeal property is concerned) breaks through the outrigger ridge and extends upwards to just below the ridge height of the main roof. It also builds up from the rear external wall of the outrigger. Thus the enlargement utilises

² Permitted development under Class B to Part 1 of Schedule 2 of the GPDO is "the enlargement of a dwellinghouse consisting of an addition or alteration to its roof". The provision is subject to limitations and conditions.

³ There is a further single storey outrigger although this does not form part of the proposal.

parts of the structure of the main dwellinghouse and the works are not limited simply to those affecting its roof.

13. The enlargement, essentially, adds a third storey above the outrigger and, at this part, is enclosed mainly by new walls and a flat roof at a higher level than the original outrigger roof. Also, a small section of new wall (that below the eaves of the main dwelling), extends outwards directly from the rear facing wall of the main part of the dwelling. To my mind, in all these circumstances, the works go beyond what could (in the normal meaning of the term) be described only as an "addition or alteration" to a roof. The works would, as a matter of fact and degree, also amount to an enlargement of the dwellinghouse. They would, thus, fall to be considered under Class A⁴ as well as Class B.
14. Under Class A the Council considers that the development does not comply under limitation A.1(k)(iv). A.1(k)(iv) says that development is not permitted by Class A if (amongst other things) the works include any alteration to any part of the roof of a dwellinghouse. The appeal works clearly do include alterations to parts of the roof. However, the Technical Guidance explains that the various classes of Part 1 are not entirely disjunctive in this context and that, whilst alterations to the roof may not be permitted under Class A, they may be permitted development under Class B and/or C⁵. Therefore I do not find the works, necessarily, to fail under this particular limitation.
15. The enlargement would, however, still fall to be considered under the other limitations and conditions of Class A including the limitations placed on eaves height for example. There is no evidence from either party on these matters. In the absence of any evidence to the contrary, there is doubt that the works could be permitted development when assessed against Class A as a whole.
16. I have been referred to a number of LDC and appeal decisions relating to roof extensions and dormers. Plans have been supplied to assist with interpretation although I do not have the full evidence that was before the decision makers in these cases. Some decisions have been provided to support the Council's case whilst others have been submitted to support the case made by the appellant. I cannot draw any definitive conclusions from these decisions and I have made this decision based on its individual facts focusing upon the wording of the GPDO and the interpretation given in the Technical Guidance.
17. I have taken into account the guidance on "L-shaped domers" given at page 37 of the Technical Guidance. However, this does not alter my view that the works amount to more than an addition or alteration to the roof and therefore fall to be considered against Class A.
18. It has not been shown, on balance of probability, that the enlargement is permitted development when taking into account the limitations of Class A. The burden of proof that is upon the appellant has not been satisfactorily discharged.

Other matter

19. In respect of the two rooflights to the front facing main roof slope, the Council considers that they do not materially affect the external appearance of the

⁴ Permitted development under Class A to Part 1 of Schedule 2 of the GPDO is "the enlargement, improvement or other alteration of a dwellinghouse". The provision is subject to limitations and conditions.

⁵ The Technical Guidance, at page 30, gives guidance on how limitation A.1(k) is to be interpreted.

building and therefore do not constitute development as it is defined under s55 of the Act⁶. Even if they were to be considered as development they would, as a separate and severable operation, be permitted development under Class C⁷. Either way the works to install the rooflights would be lawful. I shall issue an LDC in respect of that element only.

Conclusion

20. For the reasons given above I conclude that the Council's refusal to grant an LDC in respect of a rear loft extension was well founded and that the appeal should fail. On that element I will exercise accordingly the powers transferred to me under s195(3) of the Act.
21. However, in respect of the two rooflights to the front of the property I conclude that the appeal should succeed. On that element I shall exercise the powers transferred to me under s195(2) of the Act.

Susan Wraith

INSPECTOR

⁶ A note to this effect is included on the LDC decision notice issued by the Council (the subject of this appeal).

⁷ Permitted development under Class C is " any other alteration to the roof of a dwellinghouse", and is subject to limitations and conditions.



Lawful Development Certificate

APPEAL REFERENCE APP/X0415/X/18/3194957
TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192
(as amended by section 10 of the Planning and Compensation Act 1991)

THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015: ARTICLE 39

IT IS HEREBY CERTIFIED that on 27 November 2017 the operation described in the First Schedule hereto, in respect of the land specified in the Second Schedule hereto and edged in red on the plan attached to this certificate, would have been lawful within the meaning of section 191(2) of the Town and Country Planning Act 1990 (as amended) for the following reason:

The proposed rooflights would have been works not materially affecting the external appearance of the building and, thus, not amounting to development as it is defined in s55 of the Town and Country Planning Act 1990 (as amended). Alternatively the works would have been permitted development under Class C3 of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Susan Wraith

INSPECTOR

Date: 08 January 2019

First Schedule

Installation of rooflights in the main roof

Second Schedule

34 Bellingdon Road, Chesham, HP5 2HA

IMPORTANT NOTES – SEE OVER

CERTIFICATE OF LAWFULNESS FOR PLANNING PURPOSES

NOTES

1. This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 (as amended).
 2. It certifies that the operations described in the First Schedule taking place on the land specified in the Second Schedule would have been lawful on the certified date and, thus, would not have been liable to enforcement action, under section 172 of the 1990 Act, on that date.
 3. This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operations which are materially different from those described, or which relates to any other land, may result in a breach of planning control which is liable to enforcement action by the local planning authority.
 4. The effect of the certificate is subject to the provisions in section 192(4) of the 1990 Act, as amended, which state that the lawfulness of a specified use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters which were relevant to the decision about lawfulness.
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Plan

This is the plan referred to in the Lawful Development Certificate dated:
08 January 2019

by **Susan Wraith Dip URP MRTPI**

34 Bellingdon Road, Chesham, Buckinghamshire, HP5 2HA

Appeal Ref: APP/X0415/X/18/3194957

Scale: Not to scale





Appeal Decision

Site visit made on 17 December 2018

by Megan Thomas Barrister-at-Law

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 10th January 2019

Appeal Ref: APP/X0415/D/18/3214134

3 Woodside Avenue, Chesham Bois, HP6 6BG

- 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 Mr & Mrs Reed against the decision of Chiltern District Council.
 - The application Ref PL/18/2048/FA, dated 29 May 2018, was refused by notice dated 25 July 2018.
 - The development proposed is the demolition of the existing conservatory and the erection of a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing conservatory and the erection of a single storey rear extension at 3 Woodside Avenue, Chesham Bois, HP6 6BG in accordance with the terms of a planning application Ref PL/18/2048/FA, dated 29 May 2018, subject to the following conditions:
 - (1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - (2) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
 - (3) The development hereby permitted shall be carried out in accordance with the following approved plans: drawing nos 203/02 AP1 and 203/01 AP1.

Main Issue

2. The main issue in the appeal is the effect of the proposal on the living conditions of the occupants of 2 Woodside Avenue with regard to outlook and light.

Reasons

3. The appeal site is a semi-detached dwelling on the north east side of Woodside Avenue in a residential area of Chesham Bois. Its semi-pair is 2 Woodside Avenue and this is located to the north west of the appeal site. The main rear elevations of the dwellings are at the same depth. However, the appeal site has a rear ground floor conservatory. The rear gardens of the dwellings are at

- a lower level than the dwellings. No.2 has a main habitable room with a large sliding glass door at the rear elevation. This has external wooden steps which facilitate access down to the rear garden. The appeal site also has a platform and steps down to the rear garden from the existing conservatory.
4. The proposed development would involve demolishing the rear conservatory and erecting a single storey rear extension which would be deeper, higher and wider than the existing conservatory. When in the rear garden of no.2 and when looking out of the sliding door, the proposed north western elevation would appear more dominant than the existing conservatory. However, it would not result in a loss of outlook or a loss of light that I consider would warrant refusal of the planning permission. I noted on my site visit that there is an existing wooden fence on the boundary which is of differing heights but which screens part of the existing conservatory flank wall. This would remain on the common boundary. Furthermore, the proposed north western flank wall would step in from the common boundary at a position not dissimilar to the existing flank wall of the conservatory. It would therefore appear less overbearing than if it matched the full depth of the proposed south eastern wall of the extension. The proposed increase in depth closest to the common boundary (over and above the existing conservatory flank wall) would be modest and would not cause an unacceptable loss of light or an overbearing presence. The proposed extension would have a gable end and its eaves would be in a similar position to those of the existing conservatory and its roof would slope away from the rear garden of no.2, thus reducing its visual impact when viewed from the garden of no.2.
 5. For all those reasons I take the view that the proposal would not be unduly harmful to the amenity of the occupants of no.2 notwithstanding that the extension would breach the 45 degree angle measured from the sliding door of no.2. There would be no significant detriment to the occupants of no.2 in respect of light or aspect.
 6. I conclude that the proposed extension would not unduly harm the living conditions of the occupants of no.2 Woodside Avenue with regard to loss of outlook or loss of light. It would not be contrary to policies GC3, H13 or H14 of the Chiltern District Local Plan 1997 (including alterations adopted 2001 & consolidated September 2007 & November 2011) or the *Residential Extensions and Householder Development* Supplementary Planning Document (September 2013). The overall depth of no.3 would elongate the existing dwelling but not to such an extent that it would harm the pattern, character or appearance of the area.

Conditions

7. I have considered the imposition of planning conditions in the light of advice in National Planning Practice Guidance. For the avoidance of doubt I have attached a condition which requires the extension to be built in accordance with the approved plans. In order to protect the character and appearance of the host dwelling I have imposed a condition which requires that the materials used in the external surfaces of the proposed extension match those used in the main dwelling.

Conclusion

8. Having taken into account all representations made, for the reasons given above, I allow the appeal and grant planning permission for the proposed development.

Megan Thomas

INSPECTOR