



East Buckinghamshire Area Planning Committee agenda

Date: Tuesday 19 July 2022

Time: 6.30 pm

Venue: Amersham Council Chamber, King George V House, King George V Road,
Amersham HP6 5AW

Membership:

I Darby, M Fayyaz, M Flys (Vice-Chairman), G Harris, C Jones, J MacBean, J Rush, M Stannard, H Wallace, L Walsh, J Waters (Chairman) and S Wilson

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Agenda Item	Page No
1 Apologies for absence	
2 Appointment to the East Buckinghamshire Area Planning Committee	
3 Declarations of interest	
4 Minutes of the previous meeting To agree the minutes of the meeting held on 31 May 2022 as an accurate record.	3 - 4
Applications to be determined	
5 PL/22/0945/FA - 345 Waterside, Chesham, Buckinghamshire, HP5 1QE	5 - 20
6 PL/22/1319/FA - Woodside Junior School, Mitchell Walk, Amersham, Buckinghamshire, HP6 6NW	21 - 34
7 PL/22/1612/FA - The Chilterns Crematorium, Whielden Lane, Amersham, Buckinghamshire, HP7 0ND	35 - 46
8 Date of next meeting Tuesday 16 August 2022 at 6.30pm.	
9 Availability of Members Attending Site Visits (if required) To confirm members' availability to undertake site visits on 15 August 2022 if required.	

If you would like to attend a meeting, but need extra help to do so, for example because of a disability, please contact us as early as possible, so that we can try to put the right support in place.

For further information please contact: Rebecca Binstead on 01296585244, email democracy@buckinghamshire.gov.uk.



East Buckinghamshire Area Planning Committee minutes

Minutes of the meeting of the East Buckinghamshire Area Planning Committee held on Tuesday 31 May 2022 in Amersham Council Chamber, King George V House, King George V Road, Amersham HP6 5AW, commencing at 6.30 pm and concluding at 7.30 pm.

Members present

I Darby, M Fayyaz, M Flys, G Harris, J MacBean, M Stannard, L Walsh and J Waters

Others in attendance

R Ghattoura, L Hornby and M Shires

Apologies

C Jones, J Rush and S Wilson

Agenda Item

1 Appointment of Vice-Chairman

Members noted the appointment of Councillor Mark Flys as the Vice-Chairman of the East Buckinghamshire Area Planning Committee for the Municipal Year 2022/2023.

2 Declarations of interest

There were none.

3 Minutes of the previous meeting

The minutes of the East Buckinghamshire Area Planning Committee meetings held on 11 January 2022 and 18 May 2022 were agreed as a correct record.

4 PL/21/4723/FA - Land Adjacent to Great Missenden Cemetery, Church Lane, Great Missenden, HP16 0QR

Change of use to lawn burial cemetery.

Members voted unanimously in favour of the motion to grant the application subject to the conditions listed in the officer's report.

It was proposed by Councillor I Darby and seconded by Councillor J MacBean.

Resolved: that the application be approved subject to the conditions as laid out in the officer's report.

- 5 PL/22/0377/FA - 1 Grange Road, Chalfont St Peter, Buckinghamshire, SL9 9AH**
Erection of a detached single garage.

Members voted in favour of the motion to grant conditional permission, subject to the conditions as laid out in the officer's report and the changes in the verbal update from the planning officer at the meeting.

Speaking as Ward Member: Councillor L Smith

Speaking on behalf of the Parish Council: Councillor T Shinner

Speaking in objection: Mr Brown on behalf of Mr Corbett

A statement from Councillor J Rush was read out in his absence by the Democratic Services Officer.

It was proposed by Councillor M Stannard and seconded by Councillor M Flys

Resolved: that the application be granted conditional permission subject to the conditions as laid out in the officer's report and the changes in the verbal update by the Planning Officer.

- 6 Date of next meeting**
Tuesday 21 June 2022 at 6.30pm.



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Report to East Area Planning Committee

Application Number:	PL/22/0945/FA
Proposal:	Single storey front extension to the property and resurfacing of front garden.
Site location:	345 Waterside, Chesham, Buckinghamshire, HP5 1QE
Applicant:	Mr Steven Tideswell
Case Officer:	Martin Westwood
Ward affected:	Chess Valley
Parish-Town Council:	Chesham
Valid date:	29 March 2022
Determination date:	22 July 2022
Recommendation:	Conditional permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application seeks planning permission for a single storey extension to the front elevation and the resurfacing of the front garden at No. 345 Waterside.
- 1.2 The application has been called to the Planning Committee by Councillor Baum.
- 1.3 The recommendation is to grant conditional permission.

2.0 Description of Proposed Development

- 2.1 The application site is located within the built-up area of Chesham. It is a three storey, end-of-terrace, town house property. The property was originally constructed with an integral garage, but this has since been converted to living accommodation. It is constructed in pale brickwork to the upper floors with red brick to the ground floor under a brown tiled, gable ended roof. Within the terrace, the properties alternate between the materials of the application property and those with brown brick to all floors. The River Chess lies to the rear of the application property's rear garden.

2.2 The proposed front extension would be 2.1m deep and 4.8m wide (the full width of the dwelling). The extension would have a mono-pitched roof containing four rooflights and would have eaves and maximum heights of 2.5m and 3.15m, respectively. The majority of the front garden would be resurfaced with permeable paving, although the final proposed material has not been decided. The proposals would retain the existing borders and small tree in the front garden.

3.0 Relevant Planning History

3.1 PL/21/2473/FA – *Single storey front extension, internal remodel and resurfacing of front garden*. Withdrawn 02.03.2022.

4.0 Summary of Representations

4.1 Chesham Town Council recommends refusal for reasons of being out of keeping and adequacy of drainage. Seven representations of objection have been received from six neighbouring and nearby properties with the main issues being: impact on the appearance of the terrace; neighbours' amenities, and parking/highways safety issues. A summary of all the points raised in the responses are set out in the Appendix.

4.2 The Council's Highways team has reviewed the application and has submitted a detailed consultation response. They do not object, but recommend that a condition is imposed requiring the parking space to be laid out and maintained for that purpose. The full response is in the Appendix. The Environment Agency has also considered the application and does not object on flood risk grounds. The full response is also in the Appendix.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), July 2021.
- National Design Guidance, October 2019
- Core Strategy for Chiltern District - Adopted November 2011:
- Chiltern Local Plan adopted 1 September 1997 (including alterations adopted 29 May 2001), consolidated September 2007 and November 2011.
- Buckinghamshire Parking Guidance SPD, September 2015.
- Residential Extension and Householder Development SPD, September 2013.
- Sustainable Construction and Renewable Energy SPD, February 2015.

Raising the quality of place making and design

Core Strategy Policies:

CS4 (Ensuring that the development is sustainable)

Local Plan Saved Policies:

GC1 (Design of development)

GC4 (Landscaping)

H13 (Extensions to dwellings in the built-up areas excluded from the Green Belt and in Policy GB4 and GB5 areas in the Green Belt - general policy)

H15 (Design and siting of extensions)

- 5.1 Local Plan Policy H15 states that, amongst other things, an extension should be designed to respect the scale and proportions of the existing dwelling and should also reflect the form and design details of the existing dwelling. The proposed front extension would be a proportionately sized addition to the dwelling and the forward projection would not be excessively deep. Given its low eaves and relatively low maximum height, which would be comfortably below the bottom of the first floor window, it would also appear subordinate to this three storey dwelling. The mono-pitched roof form would reflect that of the main dwelling. The proposed rooflights would be of an appropriate number, size and position to prevent a cluttered appearance. The size, design and position of window and door openings would be appropriate. The proposed extension would not have a demonstrably harmful impact on the character and appearance of the dwelling.
- 5.2 Local Plan Policy H13 states that, amongst other things, an extension should not adversely affect the character and appearance of the street scene or locality in the vicinity of the extension. Local Plan Policy H15 states that, amongst other things, the siting of the extension should relate well to both the existing dwelling and the adjoining street scene and should not be obtrusive.
- 5.3 The application property is one of nine similar terraced townhouses, none of which have received front extensions. The terrace is set back from the main part of Waterside behind an access road. In the Chiltern and South Bucks Townscape Character Study 2017 and 2019, this part of Chesham is identified as being an “inconsistent suburban” area. This character typology refers to suburban areas where there is a noticeable lack of consistency in either the landscape or built form. The character study makes the following comments regarding Waterside “This suburban street has a disorganised appearance due to a large variety of housing types, including modern and inter-war terraces and semi-detached properties, as well as a pub.”

- 5.4 The proposed front extension would be the first in the terrace and, as such, would cause a degree of change to the character and appearance of the terrace, but being the first extension and causing change does not make the proposal unacceptable in principle. The test is whether demonstrable harm would be caused. The impact of the proposed extension on the street scene would be localised due to the modest size of the extension, the curving nature of the road, the position of the buildings adjacent to the terrace and the boundary vegetation adjacent to No. 347 Waterside.
- 5.5 When approaching from the direction of The Pheasant public house, views would be limited by the part of the public house that sits close to the road and by the boundary fence at the pub. The extension would also be partly seen against the backdrop of the adjacent No. 347 Waterside. When approaching from the other direction, the curved nature of the road and the positioning of No. 347 Waterside, which projects forward of the application property, and the boundary vegetation would partially screen the proposal. In both directions and at closer quarters, the extension would also be seen in the context of the much greater scale of the three storey terrace. This, together with the modest scale and height of the proposed extension and the setback from the main part of the street, is such that the extension would not be prominent and it is considered that the impact on the street scene would not be obtrusive. Therefore, the impact on the character and appearance of the terrace, the street scene and the locality would not be demonstrably harmful and would not justify refusal.
- 5.6 The proposed resurfacing of the front garden would result in the loss of soft landscaping. However, the existing planted beds and tree would be retained. Moreover, this terrace is extensively hard surfaced. It is served by an access road off the main part of the street and the majority of the areas in front of the individual units are hardsurfaced in a variety of materials. It is also noted that the property at the other end of the terrace, No. 329 Waterside, also has an enlarged driveway. Consequently, the resurfacing of the front garden would have an acceptable impact in character and appearance terms.

Amenity of existing and future residents

Local Plan Saved Policies:

GC2 (Sunlighting and daylighting)

GC3 (Protection of amenities)

H13 (Extensions to dwellings in the built-up areas excluded from the Green Belt and in Policy GB4 and GB5 areas in the Green Belt - general policy)

H14 (Safeguarding the amenities of neighbours in relation to extensions)

- 5.7 The proposed extension would be immediately adjacent to the existing garage at No. 343 Waterside. Consequently, there would be no adverse impact on the amenities of the occupiers of this property with regards to daylight, sunlight or shading. While it is noted that a Certificate of Lawfulness was granted to convert this garage to a room, the application must be assessed on the basis of the existing situation and not a potential situation. Similarly, there would be no adverse impact on the amenities of the occupiers of the adjacent property, No. 347 Waterside, with regards to daylight, sunlight or shading as the extension would be a minimum of 1.9m from the boundary between the two properties. No side-facing windows are proposed (a previously proposed side window facing No. 347 Waterside has been omitted); consequently, there would be no adverse impacts with regards to overlooking or a loss of privacy.
- 5.8 A comment has been received from the neighbouring property, stating that the extension would inhibit them getting in and out of their car as doors would not be able to be opened. This would be a private matter, as it relates to land ownership and access. It is not therefore a material planning consideration. In any event, it is noted that erecting a means of enclosure along the boundary using the property's permitted development rights could result in the same effect.

Transport matters and parking

Core Strategy Policies:

CS25 (Dealing with the impact of new development on the transport network)

CS26 (Requirements of new development)

Buckinghamshire Parking Guidance SPD, 2015

- 5.9 The proposed extension would not create any additional habitable rooms at the property. The original garage has previously been converted, but the property retains one parking space on the driveway. However, the proposed extension would reduce this in length such that it could not accommodate a parking space. The proposed resurfaced front garden would provide a replacement parking space of a policy-compliant size. The local highways authority has not objected to the proposal. No objections are raised in relation to parking provision or highway safety.

Flooding and drainage

Core Strategy Policy:

CS4 (Ensuring that development is sustainable)

Local Plan Saved Policy:

GC10 (Protection from flooding)

5.10 The River Chess lies beyond the rear garden of the application property and the application site falls within Flood Zone 3, which means it is on land at risk from flooding. However, this designation does not mean that no development should be permitted. Firstly, the application was accompanied by a Flood Risk Assessment prepared in accordance with the Environment Agency's flood risk standing advice for minor developments such as the application proposal. Secondly, the Environment Agency has not raised an objection to the proposed development on flood risk grounds. Permeable paving would be used for the resurfaced front garden, which would ensure that the development does not increase surface water run-off. There are no objections to the proposal on flood risk and drainage grounds.

Ecology

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

CS24 (Biodiversity)

Local Plan Saved Policies:

NC1 (Safeguarding of nature conservation interests)

5.11 It is not proposed to remove any planting or the tree in the front garden. The area of lawn at the front would be lost for the proposed resurfacing, but this is low quality grassland and would score a low value in any biodiversity metric. Consequently, there would not be harm to local wildlife or biodiversity as a result of the proposals. While a biodiversity net gain should be encouraged, in this case, the permeable hard surfacing could be laid as permitted development anyway, so any further biodiversity measures would not be reasonable, having regard to this fallback position.

6.0 Weighing and balancing of issues / Overall Assessment

6.1 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
 - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
 - c. Any other material considerations
- 6.2 As set out above, it is considered that the proposed development, subject to the recommended conditions, would accord with the Development Plan policies and the provisions of the NPPF. The application is therefore recommended for conditional permission.

7.0 Working with the applicant / agent

- 7.1 In accordance with paragraph 38 of the NPPF (2021) the Council approaches decision-taking in a positive and creative way taking a proactive approach to development proposals, focused on solutions, and works proactively with applicants to secure sustainable development.
- 7.2 The Council works with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 7.3 In this case, whilst no pre-application advice was sought, the Applicant and Agent have been kept updated regarding the progress of the application.

8.0 Recommendation: Conditional Permission subject to the following conditions:-

1. The development to which this permission relates must be begun before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 (1) of the Town & Country Planning Act 1990, as amended.

2. Prior to the commencement of the development hereby permitted, full details of the system and materials to be used for the surface of the driveway/parking spaces hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out using the approved materials.

Reason: To ensure a satisfactory appearance to the development. To ensure that the resurfaced front garden is surfaced in permeable materials for the reasons of sustainable drainage and to prevent surface water run-off onto the adjacent highway.

3. The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial commencement 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.

4. The materials to be used in the external construction of the extension hereby permitted shall match the size, colour and texture of those of the existing building.

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

5. This permission relates to the details shown on the approved plans as listed below:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
29 Mar 2022	1551-01
29 Mar 2022	1551-02
29 Mar 2022	1551-03
29 Mar 2022	1551-04
29 Mar 2022	1551-05

INFORMATIVE(S)

1. Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- o on or within 8 metres of a main river (16 metres if tidal)
- o on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- o on or within 16 metres of a sea defence
- o involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- o in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit https://www.gov.uk/guidance/flood-risk-activities_environmental-permits or contact our National Customer Contact Centre on 03702 422 549 or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

2. The Council is the Charging Authority for the Community Infrastructure Levy (CIL). CIL is a charge on development; it is tariff-based and enables local authorities to raise funds to pay for infrastructure.

If you have received a CIL Liability Notice, this Notice will set out the further requirements that need to be complied with.

If you have not received a CIL Liability Notice, the development may still be liable for CIL. Before development is commenced, for further information please refer to the following website <https://www.chiltern.gov.uk/CIL-implementation> or contact 01494 475679 or planning.cil.csb@buckinghamshire.gov.uk for more information.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Councillor Baum – I would like to call this application into the Planning Committee for their consideration if the Case Officer is minded to recommend approval.

Chesham Town Council Comments

The Committee recommends REFUSAL of this application on the grounds of being out of keeping with the existing street scene and concerns on inadequate drainage.

Consultation Responses

Highways

Waterside is a C class road subject to a 30mph speed restriction.

An additional parking space is proposed. The parking standards specify that each parking space should be a minimum of 2.8m x 5m. Having assessed the amended plans submitted, I am satisfied that the space is of adequate dimensions and would allow for vehicles to park clear of the highway.

Mindful of the above, I do not have any objections to this proposal subject to the following condition being imposed in any consent you may grant:

Condition: The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial commencement 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.

Environment Agency

Based on a review of the submitted information, we have no objection to the proposed development. However, please include the below informative for any permission granted.

Informative – Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit https://www.gov.uk/guidance/flood-risk-activities_environmental-permits or contact our National Customer Contact Centre on 03702 422 549 or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Advice to LPA – Flood risk standing advice

The proposed development falls within Flood Zone 3, which is land defined in the planning practice guidance as being at risk of flooding.

We have produced a series of standard comments for local planning authorities and planning applicants to refer to on 'lower risk' development proposals. These comments replace direct case-by-case consultation with us.

This proposal falls within this category. These standard comments are known as Flood Risk Standing Advice (FRSA). They can be viewed at <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications#when-to-follow-standing-advice>

We recommend that you view our standing advice in full before making a decision on this application. We do not need to be consulted.

Representations

Other Representations

Six neighbouring and nearby properties have submitted representations of objection (seven representations in total), the main points of which are listed below (summarised):

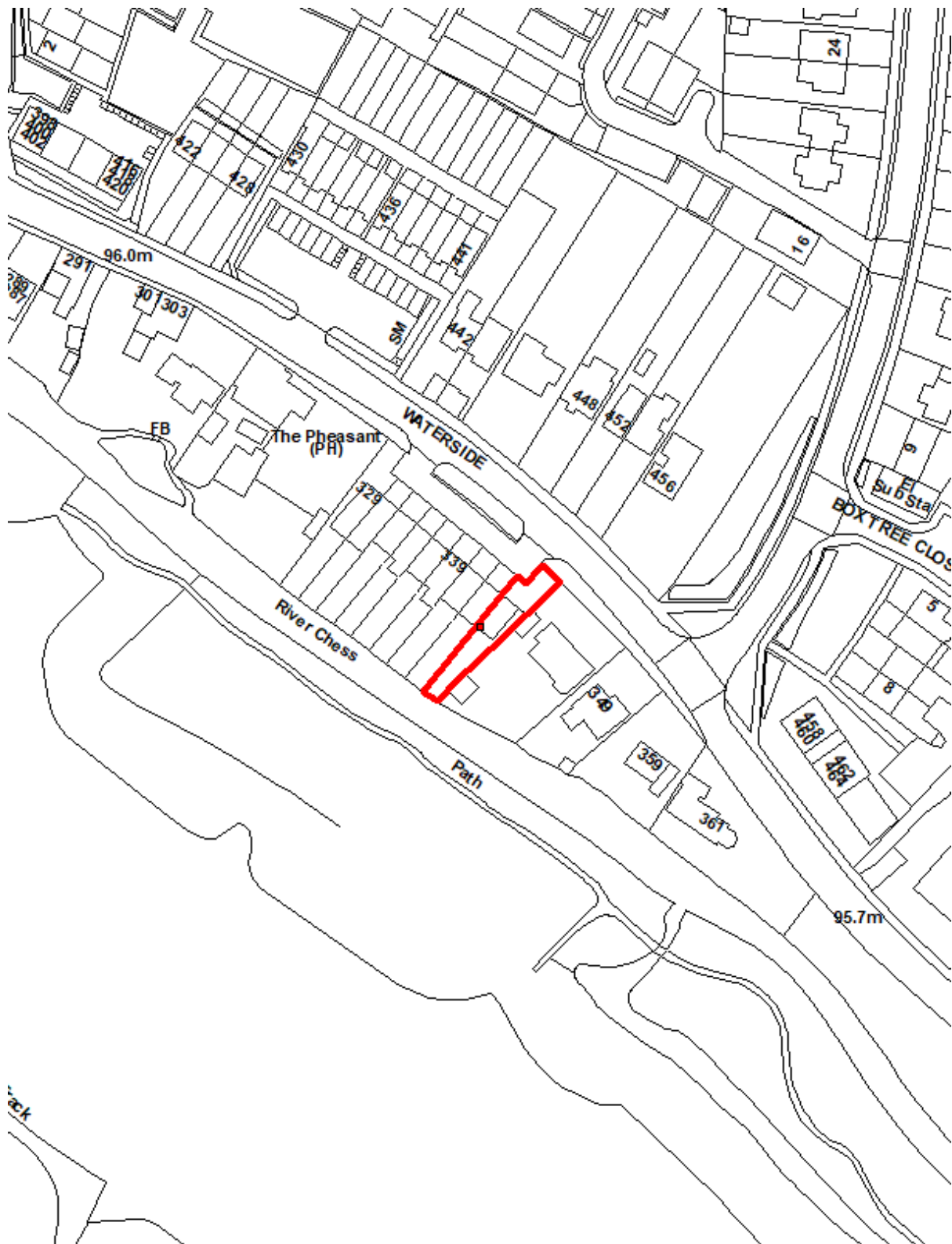
- Objected to previous withdrawn application, as it took the development beyond the permitted building line, could create precedent along the line of townhouses and therefore create drainage and parking issues
- New proposal has a window overlooking our property (*Officer note: this window has now been omitted*)
- A 'lean to' with glazing right up to and above boundary wall has been erected. Whilst it probably falls within permitted development, we would like to understand if there are any restrictions around rights to light or privacy
- Will look out of character with the other houses

- Visually will be an eyesore
- Communal driveway is used by residents to gain access to their properties. It could potentially become dangerous when cars turn in from the busy main road should cars be loading/unloading in what would become a restricted area due to the proposed extension that would cause the removal or blocking of parking spaces
- Size of extension would stop neighbours parking on their own drive
- Would also intrude beyond the building line of the rest of the terraced houses, thus spoiling the aspect of the whole group of Town houses
- Plenty of room at the rear to extend into the garden as others have done in this block
- Objected to the previous withdrawn application, as this took the property beyond the building line of the row of townhouses
- Conveyancing document pertinent to our property and applied to all properties within the development (329 - 345 Waterside Chesham) outlines that no alterations can be made to the front elevation of any property. Whilst this may not be taken into account as part of this planning decision, if approved and passed, this development would hugely contradict the spirit of the Conveyance Document outlined and its intent to protect all residents
- No historical precedents for the passing and approval of these plans and no other property has previously sought or built in front of the original building line since being built more than 50 years ago
- Extremely concerned that the planned changes will set a precedent in the future, to the detriment of building aesthetics and the parking available to residents, especially our own
- Further concerns and objections relating to impact on our own property, permitted development we intend to carry out and on our personal lives
- Will create significant parking issues for us. A 2.1m wall down one side of the driveway boundary will make it extremely difficult to open the doors on one side of our car when it is parked on the drive. We have two young children, both requiring assistance to get into and out of the car. It will not be possible to take both children out of the car whilst it is parked on our drive. Is it expected that we remove and leave our children on the communal or public highway whilst we park our car, creating another public safety issue?
- Create potential highway safety issues if a car were to turn into the communal driveway whilst (i) Cars are being loaded/unloaded in the newly created car parking space. (ii) If a car were to pull off the new parking space onto the communal driveway
- Create the potential for entry and egress issues adjacent to a public highway
- Encourage the use of our land as a means of entering or egressing the subject's property, by parking on our driveway (we have already experienced this, preventing us parking on our own drive)
- Disregard and hinder us from carrying out our plans to convert the garage into a kitchen with a front-facing window (Ref No: CH/2017/0323/FA), causing an overbearing appearance at the front and block light into our property

- Could have an impact on the market value of our property and future sales potential
- Site plan of the property provided is incorrect as it does not show the 'lean to'. Whilst probably permitted development, we would still expect this to be represented
- Deeds for the 329-345 Waterside development restrict the altering of the front elevation of any property within this development that brings forward the established building line
- There is already a lack of parking space for our development. The proposed extension would further impinge upon the available space for residents as the proposed extension would be built upon the current driveway
- Potential natural light blocking issues
- Not in keeping with the established and current facade of the development
- Would not allow the residents of 343 Waterside to park on their own driveway as passenger side access to their car would be impossible, thus compounding further access, egress, and parking issues
- Unconvinced the proposed replacement space can safely accommodate a large family car without removal of existing small trees
- Reduced parking will only make the existing parking on kerbs and pavements worse, particularly during schools 'drop off' and 'pick up' times
- Drainage concerns given the poor condition of existing drains frequently already leads to excess surface water when it rains heavily
- Plans submitted are inaccurate, both in relation to 347 Waterside and the applicant's premises
- Side window directly overlooks our front garden/drive, directly affecting our privacy unless it is either removed or frosted (*Officer note: this window has now been omitted*)
- Principal concern is not this application in isolation, but the precedent it sets for all the town houses in the future, which will risk exacerbating all the above when the existing situation is already far from ideal
- Would affect parking and natural flow of traffic for deliveries and domestic uses to all properties 329-345
- Would look unsightly and not in keeping to the front of the all properties 329-345

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APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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Buckinghamshire Council

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Report to East Area Planning Committee

Application Number:	PL/22/1319/FA
Proposal:	Installation of running track on the school field
Site location:	Woodside Junior School, Mitchell Walk, Amersham, Buckinghamshire, HP6 6NW
Applicant:	Woodside Junior School
Case Officer:	Alex Wilson
Ward affected:	Amersham and Chesham Bois
Parish-Town Council:	Amersham
Valid date:	6 May 2022
Determination date:	5 August 2022
Recommendation:	Conditional permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 This application seeks permission for the installation of a running trail on the school field. The site is located within the built-up area of Amersham and the main school building is Grade II listed.
- 1.2 The application is before the Planning Committee as the site is Council owned land. As such, the application should be determined by the Planning Committee, as per the procedures of the Constitution.
- 1.3 The recommendation is to grant **conditional permission**.

2.0 Description of Proposed Development

- 2.1 This application proposes the installation of a running trail around the perimeter of the school field, measuring a total length of 375 metres and with a path width of 1.2 metres. The track has been amended since the initial submission of the application and now proposes a 'daily running track', being located close to the edges of the school field, to the south eastern side of the main school building.
- 2.2 The application is accompanied by:
 - a) A Design and Access Statement;

- b) Two follow-up statements by the School in respect to the consultation responses by Sport England.
- 2.3 As aforementioned, amended plans have been submitted during the course of this application, following initial objections raised by Sport England. The circular multiple running lane track has been altered to now be a running trail around the edges of the school field. All other details include site area remain the same.

3.0 Relevant Planning History

- 3.1 There is extensive history associated with this site, as such the following most recent planning history has been listed below:
- 3.2 AM/98/56 – circa. 1956 – School Building – Granted Permission
- 3.3 CH/2015/2264/FA - 23.02.2016 - Construction of two playground areas within school curtilage - Conditional Permission
- 3.4 CH/2015/1161/HB - 10.02.2016 - Replacement external windows and doors - Conditional Consent
- 3.5 PL/22/1410/SA - Certificate of Lawfulness for proposed reopening access from Plantation Road, renewal of the existing pavement facing gate, renewal of hardstanding of tracking leading to Plantation Road, widening of emergency track to 4 metres in width, installation of 4 metre wide double leaf gate and 1.2 metre wide single leaf gate (for pedestrian access) – Under consideration at the time of drafting this report.

4.0 Summary of Representations

- 4.1 Two letters of objection have been received - main points summarised below:
- Significant increase in facilities has resulted in additional parking and congestion problems within Mitchell Walk, no allocated coach parking
 - New parking restrictions has had little effect on the congestion as they are not enforced
 - Increase in congestion, extended periods of inconvenience for residents
 - Extending the accessibility hours will provide additional nuisance to all the residents
 - Illustration submitted does not represent the true scale of the proposal, misleading information
 - Concerns regarding how a football pitch would fit within the track, no information from local community/local clubs to support proposal
 - Increase of noise from crowds

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), July 2021
- National Design Guidance, October 2019

- Core Strategy for Chiltern District - Adopted November 2011
- Chiltern District Local Plan adopted 1 September 1997 (including alterations adopted 29 May 2001), consolidated September 2007 and November 2011
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule

Principle and Location of Development

Core Strategy Policies:

CS1 (The spatial strategy),

Local Plan Saved Policies:

GC1 (Design of development)

- 5.1 The application relates to the grounds surrounding a Listed Building located on Mitchell Walk, a residential area north east of Woodside Road in Amersham-on-the-Hill. Woodside Junior School is neighboured by properties on the north east and south west boundary on Mitchell Walk and to the rear of the school's sports field by properties on Plantation Road.
- 5.2 Whilst the application site hosts a Listed Building, works to the existing Listed Building are not proposed as part of this application. Modest development to community facilities are generally acceptable, subject to complying with relevant Development Plan Policies.

Transport matters and parking

Core Strategy Policies:

CS25 (Dealing with the impact of new development on the transport network)

CS26 (Requirements of new development)

Buckinghamshire Parking Guidance September 2015

- 5.3 The running trail has no highway or parking implications. Outside of school hours, the car park would be free for members of the public to use. The Highways Officer raises no objection to the proposal and no conditions are required.

Raising the quality of place making and design

Core Strategy Policies:

CS4 (Ensuring that the development is sustainable)

CS20 (Design and environmental quality)

CS29 (Community)

Local Plan Saved Policies:

GC1 (Design of development)

GC4 (Landscaping)

- 5.4 Local Plan Policy GC1 refers to the design and appearance of the development and requires all proposals to be assessed with regard to the scale of development, height, siting and relationship with adjoining boundaries and highway, car parking, materials, form, detailing of building work in sensitive locations and design against crime.

- 5.5 It is not considered that the running track would be overly prominent in its appearance, being sited close along the perimeter covering a relatively small section of the school field. As such, it would not cause a detrimental impact upon the character of the area. This is notwithstanding the impact upon the main listed school building and associated listed paraphernalia, of which will be assessed within the 'Historic environment' section of this report.

Amenity of existing and future residents

Local Plan Saved Policies:

GC3 (Protection of amenities)

- 5.6 Local Plan Policy GC3 seeks to protect amenities throughout the area. It states that in considering proposals for development, the Council will seek to achieve good standards of amenity for the future occupiers of that development and to protect the amenities enjoyed by the occupants of existing adjoining and neighbouring properties. Where amenities are impaired to a significant degree, planning permission will be refused.
- 5.7 The site is already a playing field for the school and hosts activities relating to sport and physical exercise. It is already used on a daily basis with access available to the entirety of the grounds for outdoor activities by the school's pupils. Given the size, siting and design of the proposed running track and its relationship to adjoining neighbouring properties, it is considered that it would not have an adverse impact on the amenities, including noise, of the occupiers of any neighbouring residential property compared to the existing use of the school field. Therefore, there are no concerns raised regarding residential amenities.

Ecology

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

CS24 (Biodiversity)

Local Plan Saved Policies:

NC1 (Safeguarding of nature conservation interests)

- 5.8 The Ecology Officer has been consulted as part of this application, citing no objections to the proposal. Following their recommendation for biodiversity enhancements, the School has subsequently installed bat and bird boxes located to trees along the southern perimeter of the field.

Community facilities

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

CS27 (Working for a healthier community)

CS28 (Retaining and improving leisure and recreational facilities)

CS29 (Community)

Local Plan Saved Policies:

CSF1 (Provision of community services and facilities in the built-up areas excluded from the Green Belt)

R2 (Loss Of Existing Sports Facilities)

- 5.9 Policies CS28 and CS29 of the Core Strategy are relevant with regard to the current proposal. Policy CS28 relates to leisure and recreational facilities and sets out that where a need for new facilities is identified the Council will work with partners to find ways of delivering these improvements. Policy CS29 relates to community facilities and states that the Council strategy is to encourage the provision of community facilities in areas where there is an identified need and also details that an option would be to consider policy exceptions to encourage such facilities to be provided.
- 5.10 Sport England has been consulted as part of this application, wherein there was an initial holding objection raised in respect to the detriment caused by the loss, or prejudice to the use, of the area of playing field and the resulting impact on its potential to be used for outdoor sport. Following this, amended plans have been received showing a relocated track, in the form of a trail, sited closer to the perimeters of the field and has been reduced to, in effect, one lane, only being 1.2m in width. Based on this, Sport England has now confirmed that they withdraw the objection as the revised proposal is considered to protect the main playing field area and the pitches within it as a result of the track being located around the perimeter of the field. As such, no objections or concerns are raised in this respect.

Historic environment (or Conservation Area or Listed Building Issues)

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

Local Plan Saved Policies:

LB1 (Protection of special architectural or historic interest of Listed Buildings)

LB2 (Protection of setting of Listed Buildings)

- 5.11 Woodside Junior School is a designated heritage asset, being a Grade II listed building. Furthermore, the seat, steps, pool surround and attached pergola, are also Grade II listed. Given the nature of the proposed trail, it would not cause harm to the setting of the special historic and architectural interest of the Grade II Listed Building.
- 5.12 The Historic Buildings Officer has confirmed that no objections are raised, in respect to the impact upon the listed building and associated paraphernalia and their setting, considering the school and its existing playground equipment and landscape features. Two conditions should be applied, including a sample of the colour finish of the track to be approved and details of landscaping design regarding the excavated soil to form the graded and seeded mound, in order to ensure to minimise any harm to the setting.

6.0 Weighing and balancing of issues / Overall Assessment

- 6.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 6.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate

otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
- b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
- c. Any other material considerations. In this respect, it should be noted that paragraph 95 of the NPPF states that Local Planning Authorities should take a proactive, positive and collaborative approach to school development proposals and should give great weight to the need to create, expand or alter schools through any related decisions on applications.

6.3 As set out above it is considered that, the proposed development would accord with the development plan policies and other material considerations.

6.4 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

7.0 Working with the applicant / agent

7.1 In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

7.2 The Council works with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application. In this case, the applicant was informed of the Council's concerns, in respect to an initial holding objection raised Sport England, and how this could be overcome. The applicant responded by submitting amended plans, which were considered to be acceptable and the proposal is recommended for conditional permission.

8.0 Recommendation: Conditional Permission subject to the following conditions:-

1. The development to which this permission relates must be begun before the expiration of three years from the date of this permission.
Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 (1) of the Town & Country Planning Act 1990, as amended.
2. Before the surface of the running track hereby permitted is installed, a sample of the material and colour finish of the track shall be submitted to and approved in writing

by the local planning authority. The development shall be implemented in accordance with these approved details.

Reason: To safeguard the special architectural or historic interest of the listed building in accordance with policy LB1 of The Chiltern Local Plan Adopted 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011, policy CS4 of the Core Strategy for Chiltern District, Adopted November 2011, the provisions of the National Planning Policy Framework 2019 and the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. Before the surface of the running track hereby permitted is installed, details of landscaping design regarding the excavated soil and any formation of a graded and seeded mound(s), including cross sections as appropriate, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with these approved details.

Reason: To safeguard the special architectural or historic interest of the listed building in accordance with policy LB1 of The Chiltern Local Plan Adopted 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011, policy CS4 of the Core Strategy for Chiltern District, Adopted November 2011, the provisions of the National Planning Policy Framework 2019 and the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. The bat and bird boxes installed on site and as detailed in the letter from the school, dated 2nd June 2022, shall be retained in situ.

Reason: To ensure biodiversity enhancements within the site.

5. This permission relates to the details shown on the approved plans as listed below:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
20 Jun 2022	Daily Mile Running Track
06 May 2022	Location Plan

INFORMATIVE(S)

1. The Council is the Charging Authority for the Community Infrastructure Levy (CIL). CIL is a charge on development; it is tariff-based and enables local authorities to raise funds to pay for infrastructure.
If you have received a CIL Liability Notice, this Notice will set out the further requirements that need to be complied with.
If you have not received a CIL Liability Notice, the development may still be liable for CIL. Before development is commenced, for further information please refer to the following website <https://www.chiltern.gov.uk/CIL-implementation> or contact 01494 732792 for more information.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Not applicable.

Town Council Comments

Amersham Town Council (Received 25th May 2022):

‘Members had no objection and commented that they were highly in favour of the running track potentially being for community use also. They added however that they would refer to Buckinghamshire Council’s Highways department regarding potential traffic and parking issues. Some members commented that no vehicular access should be granted via Plantation Road at a later date.’

Consultation Responses

Senior Highways Development Management Officer (received 13th May 2022):

‘Mitchell Walk is an unclassified road, which in this location is subject to a speed limit of 30mph. Proposals include the installation of a 200m running track on the school field.

When considering trip generation, I note that the running track is predominantly to be used by pupils during school hours, however it is also proposed to be rented out to local sports groups after school hours. As such, I consider that the site would be subject to an intensification in use. As this is the case, the access arrangements serving the site will need to be assessed in order to determine its suitability to accommodate an intensified use.

As Mitchell Walk is subject to a speed restriction of 30mph, visibility splays of 30mph are applicable, commensurate with current Manual for Streets guidance. I can confirm that these splays are achievable from the access points.

In terms of parking provision, I note that the Countywide Parking Guidance does not have any specified standards for running tracks. I also note that outside of school hours, the car park would be free for members of the public to use.

Mindful of the above, I have no objection to the proposals, and in this instance I have no conditions to suggest for inclusion on any planning consent that you may grant.’

Historic Buildings Officer (received 4th July 2022):

Summary

The application is acceptable in heritage terms

Heritage Assets

In the setting of Listed buildings:

- Woodside Junior School designated heritage assets grade II listed building.
- Woodside School seat, steps, pool surround and attached pergola, is also grade II listed

Relevant planning history

CH/2015/2264/FA - Construction of two playground areas within the school curtilage conditional consent.

CH/2012/0989/HB Removal of window and insertion of door – Conditional consent.

CH/2012/1272/HB Erection of freestanding external canopy – Conditional consent.

CH/2012 Removal of windows and insertion of door - Conditional consent.

Discussion

Site visit – 26/05/2022

Considerations

The heritage assessment is the impact on the setting of the special historic and architectural interest of the Grade II Listed Building.

Proposal

The proposal has been amended due to concerns shown by Sport England. The proposal is now to locate the running track around the perimeter of the playing field, preserving a greater amount of playing field land.

Significance

The proposed development is the playing fields within the grounds of Woodside school, which has two separate designations; school building and pond/seating/pergola area. They were both listed in 1993.

Woodside School was designed in 1956-57 by Mary and David Medd of Ministry of Education and was the first true 'rationalised traditional' school built as a prototype. They believed in good natural light and ventilation and advocated areas for messy activities, quiet study or group teaching.

Along with the school the rear steps, pool surround and attached pergola were also designated. They form an important visual feature in the rear courtyard.

Discussion

- Running Track

The original proposal was for a 4 lane running track on the school field to enable all year round use. In response to the concerns highlighted by Sport England plans have changed for a perimeter track.

The newly proposed track would consist of one lane 1.2m wide, supplied by the same manufacturers, Novasport. The finish will be different from the original running track. The proposed surface is composed of rubber granules, coloured aggregate and a polyurethane binder. As stated in the original consult the school has a variety of playgrounds and parking areas around the school finished in tarmac and bonded rubber mulch. The new colour of the surface is unknown.

Considering the school and its existing playground equipment and landscape features it is felt the proposed running track would not appear unduly prominent, and therefore would

not adversely impact on the setting of the listed buildings. Furthermore, the proposed use of the proposed track is considered to be in keeping with the current use of the listed building (school).

- Landscaping

No landscaping designs have been supplied, it is assumed from the original DAS says that the excavated soil will be used to build a graded and seeded mound.

Heritage Policy Assessment

The Planning (Listed Building and Conservation Areas) Act 1990

The proposals would preserve the architectural and historic interest of the listed building and therefore complies with sections 66 of the Act.

NPPF

The proposal would cause no harm to the significance of the heritage asset and satisfy the planning guidance in paras 193-197 of the NPPF, whereby the conservation of the heritage asset is the foremost consideration in determining applications and informing planning decisions.

Chiltern Local Plan Policy LB1 & LB2

Regard was made to the listed building's setting and its contribution to the local scene.

Conclusion

For the reasons given above it is felt that in heritage terms:

The application would not raise any heritage objection subject to the following conditions:

- Sample of the colour finish to be approved of the track to ensure to minimise any harm to the setting
- Details of landscaping design regarding the excavated soil building the graded and seeded mound.'

Sport England Planning Manager

First response - received 9th June 2022:

Thank you for the further information from the school dated 26 May in relation to the proposed 200m running track on the school field. Sport England notes that there is no community use of the existing football pitches, and we further note the information in relation to potential community use of the track by local running and athletics groups/clubs.

Sport England has consulted the governing bodies for sport and we have received the following comments. England Athletics (EA) comments that they are supportive of the proposal as it fits with their strategy of providing innovative athletics facilities in areas of demand. EA go on to comment that if Football have objections to the scheme then EA would be happy to look at other alternatives (e.g. a freeform perimeter daily mile loop that could potentially avoid any loss of PP provision). Also, for out of hours community use for athletics has floodlighting/low level lighting been considered?

Sport England has not received any comments from the Football Foundation or the FA. Sport England notes that the further information provided by the school refers to the use of the playing field for football including for matches and an after school club, as well as for other sports including hockey; athletics and field events; tennis and rounders.

Sport England considers that the constraints put on the playing field by the installation of the track will limit the ability of the playing field to be used to accommodate these other sports and multiple pitch layouts. Sport England further considers that without sports lighting the proposed track will offer limited opportunities for community use. We consider that more can be done to minimise the impact on the playing field area and seek to retain a greater amount of space which can be used for sports pitches. There is potential for laying out the track closer to the perimeter. We are aware that EA have offered to help with the design and layout of the track, eg a freeform loop.

On that basis, Sport England does not consider that the benefits to sport outweigh the harm caused by the loss of playing field as required by our E5 exception. Sport England is therefore unable to support the proposal as it stands and we would need to see modifications to the design and layout of the track which better preserves the principal playing field area to accommodate and support the use of the site for pitch sports. We believe that more can be done to reduce the impact and that support may be available from the EA to address these concerns.

Sport England therefore wishes to maintain its objection.

Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's holding objection, then in accordance with The Town and Country Planning (Consultation) (England) Direction 2021, the application should be referred to the Secretary of State, via the Planning Casework Unit.'

Second response - received 1st July 2022:

'Thank you for the amended plan. Based on this, Sport England is content to withdraw the objection to the application, as the revised proposal is considered to better protect the principal playing field area and the pitches within it as a result of the track being located around the perimeter of the playing field.

The application is therefore considered capable of meeting our E5 exception:

'The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'

I hope that clarifies our position.'

Ecology Officer (received 17th May 2022):

'I viewed the plans for this application and there are no ecological concerns.

The proposed running track will be in the school's amenity grassland and no trees will be impacted on.

As a biodiversity enhancement the installation of bat and bird boxes is recommended and can be secured via condition.'

Ecology Officer (received 13th June 2022):

'I viewed the letter (Woodside Junior School, 02/06/2022) detailing the installation of bat and bird boxes and the information provided is sufficient.

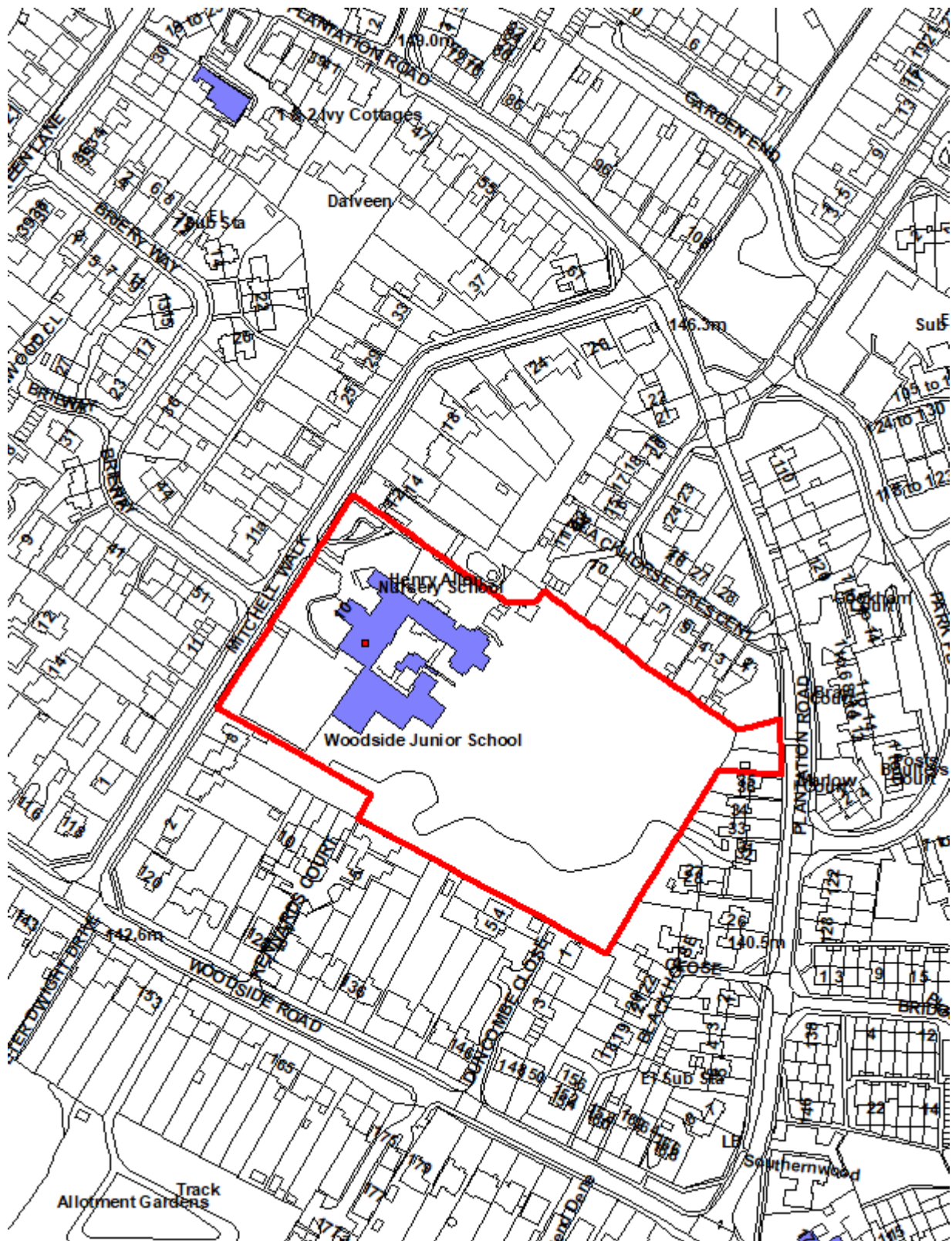
A condition relating to biodiversity features is no longer required as biodiversity features were installed prior to determination of the application.'

Representations

Two third party letters of objection have been received – although these were in relation to the initial submission for a more formal and “traditional” oval-shaped running track on the playing field. Main points summarised below:

- Significant increase in facilities has resulted in additional parking and congestion problems within Mitchell Walk, no allocated coach parking
- New parking restrictions has had little effect on the congestion as they are not enforced
- Increase in congestion, extended periods of inconvenience for residents
- Extending the accessibility hours will provide additional nuisance to all the residents
- Illustration submitted does not represent the true scale of the proposal, misleading information
- Concerns regarding how a football pitch would fit within the track, no information from local community/local clubs to support proposal
- Increase of noise from crowds

APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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Buckinghamshire Council

www.buckinghamshire.gov.uk

Report to East Area Planning Committee

Application Number:	PL/22/1612/FA
Proposal:	2 extract fans with cowls (approx. 575mm in height) to be installed on the rear crematory roof, above the cremators, located within the roof valleys of the building - one lower pitch & one higher pitch. The cowls will be 176mm above the lower ridge line, but 105mm below the higher ridge line.
Site location:	The Chilterns Crematorium, Whielden Lane, Amersham, Buckinghamshire, HP7 0ND
Applicant:	Buckinghamshire Council (Ms Linda Francis)
Case Officer:	Mark Aughterlony
Ward affected:	Penn Wood & Old Amersham
Parish-Town Council:	Amersham
Valid date:	25 May 2022
Determination date:	20 July 2022
Recommendation:	Conditional permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 This application relates to the installation of 2 extractor fans on the rear elevation/roof slopes of the Chilterns Crematorium in Amersham.
- 1.2 The application is being considered by the Planning Committee by virtue of the fact that it is the Council's own application, as required by the Constitution.
- 1.3 The recommendation is to **APPROVE** the planning application subject to the imposition of conditions and reasons.

2.0 Description of Proposed Development

- 2.1 This application relates to the site of the Chilterns Crematorium located to the south-west of Amersham Old Town, effectively nestled between the A412 and the A404. The wider site comprises the main complex of buildings including two chapels (Hampden and Milton) set in landscaped, wooded grounds/gardens of remembrance.

- 2.2 Access to the site is taken direct from the A404 and ultimately leads to considerable areas of parking located to the front (west) and far side (south west) of the complex of buildings. The site lies within the GB and AONB.
- 2.3 The existing complex of buildings comprise a variety of designs and heights, ranging from the original (Hampden) Chapel to the more modern and recent (Milton) Chapel, with a number of functional/utilitarian buildings both serving & joining them, located to the rear (east).
- 2.4 As part of a wider scheme of refurbishment and improvement of the existing facility planning permission is being sought for the installation of two extractor fans, with cowls. They would be installed on rear roof slopes, above the existing cremators, located within the roof valleys of two existing buildings - one lower pitched & one higher pitched.
- 2.5 The fans/cowls would protrude some 176mm above the lower ridge line but 105mm below the higher ridge line. Both would be coloured to match that of the existing roof which, in this instance, is copper.
- 2.6 The application is accompanied by confirmation that a Bat Registration Licence has been granted for the works by Natural England.

3.0 Relevant Planning History

- 3.1 CH/2003/1715/RC – CP - 21 November 2003 - single storey extension to provide second funeral chapel and floral display area, together with additional car parking area and associated landscaping (amendment to planning permission 02/1308/CH)
- 3.2 CH/1996/1242/FA – CP - 14 November 1996 - alterations, two storey extension, formation of covered way and pergola, erection of 2.6 metre high wall to enclose yard on west elevation, removal of existing chimney and erection of replacement chimney
- 3.3 CH/1995/1438/FA – CP - 8 January 1996 - alterations, two storey extension, formation of covered way and pergola, erection of 2.6 metre high wall to enclose yard on west elevation, removal of existing chimney and erection of replacement chimney
- 3.4 CH/1993/1098/FA – CP - 28 October 1993 - change of use of agricultural land to memorial garden together with ancillary car park
- 3.5 CH/2002/1308/RC – CP - 25 November 2002 - single storey extension to provide second funeral chapel and floral display area together with additional car parking area and associated landscaping
- 3.6 CH/1999/0210/FA – CP 24 May 1999 - new chapel of remembrance

4.0 Summary of Representations

- 4.1 None received at time of writing report.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), July 2021.
- National Design Guidance, October 2019

- Core Strategy for Chiltern District - Adopted November 2011:
- Chiltern District Local Plan adopted 1 September 1997 (including alterations adopted 29 May 2001), consolidated September 2007 and November 2011.
- C&SB Community Infrastructure Levy (CIL) Charging Schedules (Feb 2020)

Principle and Location of Development

GB2 (Development in general in the Green Belt)

Principle of development.

- 5.1 Whilst located in the GB and AONB, the Chilterns Crematorium at Amersham is the largest crematorium in Buckinghamshire and currently operates with three cremators; it was retro-fitted with mercury abatement equipment in 2005.
- 5.2 Historically Chilterns Crematorium receives the bulk of cremations for the region and its level of activity remains very high (currently over 3,000 annual cremations). The crematorium consists of one large building, with a chapel on either side of a central crematory; the Hampden Chapel (the smaller and original Chapel), and the Milton Chapel (the larger and newer Chapel). Usage of the Crematorium will not change as a result of these proposals, as they do not seek to expand the existing facility but improve it.
- 5.3 Policy GB2 states that most development in the Green Belt is inappropriate and there is a general presumption against such development. The policy then lists development which is not inappropriate: of direct relevance to this proposal is:
- (b) New buildings to provide essential facilities for (i) outdoor sport and (ii) outdoor recreation; for (iii) cemeteries and for (iv) other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it.*
- 5.4 Whilst the proposal does not relate to the erection of a new building(s), the proposal nevertheless falls to be considered against the principle of this policy, which is to preserve the openness of the Green Belt.
- 5.5 The proposal relates to the insertion of two flues within the roof slope of single storey buildings that are located at the rear of the complex of existing crematorium buildings. The openness of the GB will not be diminished as a result of the proposal and the scheme therefore complies with Policy GB2.

Transport matters and parking

CS26 (Requirements of new development)

TR2 (Highway aspects of planning applications)

TR11 (Provision of off-street parking for developments)

Council's Parking SPD, 2015

- 5.6 The proposal does not involve the creation of any additional floor space. No additional traffic would therefore result from the proposal nor is there a requirement for any additional parking provision. The scheme therefore complies with Policies CS26, TR2 and TR11.

Raising the quality of place making and design

CS20 (Design and environmental quality)

CS22 (Chilterns Area of Outstanding Natural Beauty)

CS29 (Community)

GC1 (Design of development)

- 5.7 The Chilterns Crematorium comprises the original Hampden Chapel and service buildings, along with the more modern Milton Chapel, all of which are set in an undulating woodland setting/Garden of remembrance. It is an existing, well established facility that not only serves the immediate community of Bucks but also that further afield.
- 5.8 It is acknowledged that the extractor fans would protrude marginally above the ridge of the existing single storey buildings, but they would only be seen by visitors to the rear (east) of the wider site and only then would they be viewed against the existing, taller buildings.
- 5.9 Both fans/cowls would be coloured to match existing (copper) and it is considered that they would not appear as visually intrusive features. The scheme is therefore considered to accord with policies CS20, CS22, CS29 and GC1.
- 5.10 Whilst the installation of the fans/cowls requires the benefit of planning permission, as they would exceed 4m in height when placed within the roof slopes, there are a series of other works planned to improve and enhance the existing facility that constitute Permitted Development in accordance with Part 12, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. For information purposes only, these works relate to: -
- a) Enlarged blast cooler area required for repositioned and extended external cooling unit (air blast cooler) for cremator abatement system plus housing the required secure grounds machinery store. The latter is required due to the space previously used for storage of these items is now required for the fans for the cremator and abatement system. The materials will be as they are now for the extended area (i.e. a wooden hit & miss fence, coloured to match). New equipment would stand 3.8m above ground level.
 - b) Adjacent to the bottom of the main chimney stack will be housed an Air Source Heat Pump (ASHP) array for the Hampden chapel heating system. This will be manufactured to match the materials around the enlarged blast cooler area
 - c) The ASHP will be used, initially for the temporary cremator flue supports during the transition from existing equipment to new. This structure will only be in place for this phase. It will first require a hardstanding to be installed at ground level which will then be used to support the external ASHP equipment thereafter.

Amenity of existing and future residents

GC3 (Protection of amenities)

GC7 (Noise-generating developments)

5.11 By virtue of the use and location of the site there are no concerns arising from the proposal in terms of impact on residential amenity.

Environmental issues

CS24 (Biodiversity)

GC9 (Prevention of pollution)

5.12 The site sits outside of the Chilterns Beechwoods Special Area of Conservation Zone of Influence.

5.13 It is considered that the proposals will not affect any adjacent trees by virtue of the fact that all development is limited to the existing buildings on site. The Tree Officer raises no objection to the proposal.

5.14 By virtue of the proposed development involving works to an existing roof, the applicant has already sought the necessary Bat Licence from Natural England. The scheme is therefore considered to comply with policies CS24 and GC9

Flooding and drainage

GC10 (Protection from flooding in the areas as defined on the Proposals Map)

5.15 This part of Amersham is classified as a Critical drainage area.

5.16 However, as the proposal does not involve any increase in floor area and only relates to works within the existing roof spaces there is not considered to be any conflict with this policy.

Landscape and visual impact Issues

CS20 (Design and environmental quality)

CS22 (Chilterns Area of Outstanding Beauty)

GC1 (Design of development)

LSQ1 (Chilterns Area of Outstanding Natural Beauty as defined on the Proposals Map)

5.17 Policies GC1 and CS20 require new development, amongst other things, to be of a high standard of design which reflect and respect the character of the surrounding area. Policies LSQ1 and CS22 require, amongst other things, that all development in the AONB must conserve and enhance its special landscape character, heritage and distinctiveness as well as protecting its setting and safeguarding views into and out of the area.

5.18 As stated above, the extractor fans would be sited in existing roof slopes at the rear of the Crematorium. They would be finished in a sympathetic colour (copper) to blend with the existing and would be viewed only marginally above the existing single storey roofs. They would not therefore appear as unduly or unsightly features. Whilst they would be 'functional' additions they would

nevertheless blend in with the mix of building designs and forms that comprise the Chilterns Crematorium.

Community facilities

CS4 (Ensuring that development is sustainable)

CS29 (Community)

GB23 (Limited infilling including local community facilities in the Green Belt in the areas defined in Policies GB4 and GB5, except development covered by Policies GB4, GB5, GB6, GB12 and GB15)

- 5.19 The Chiltern Crematorium is one of two Council facilities that serves Buckinghamshire and the surrounding areas.
- 5.20 Policy GB23 allows for the extension or alteration of an existing building situated in the GB. Any extension, or as in this case, alteration to a building that is sited on the edge of a settlement which would significantly extend built-form into the adjoining open land will not be permitted, particularly where the extension/alteration is also visually intrusive in the open countryside setting.
- 5.21 As explained above, the works which require the benefit of planning permission, that form the subject of this application, is the installation of the extractor fans. As these are to be inserted in existing roof slopes, they would not extend built form into the surrounding land nor would they appear visually intrusive in their setting. Despite the existing buildings being set on a higher ground level to the A404 (to the east) the fans would not be visible when viewed from here due to the presence of mature planting in between. Furthermore, when viewed from within the site, looking west, the fans would not appear as bold or stark additions due to the fact that they would be viewed against existing, higher buildings and roofs.
- 5.22 The proposed enhancement of the existing facility will therefore greatly benefit the local and wider community. The proposals therefore comply with the above policies relating to community facilities.

Infrastructure and Developer Contributions

CS31 (Infrastructure)

- 5.23 The development for the insertion of two extractor fans, is not of a type where CIL would be chargeable as it does not result in the creation of any additional floor space. In terms of policy CS31 therefore, this proposal is ultimately one which will enhance and improve the operation of an existing, well established community facility.

6.0 Weighing and balancing of issues / Overall Assessment

- 6.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 6.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in

accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
- b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
- c. Any other material considerations

6.3 As set out above it is considered that the proposed development would accord with all relevant development plan policies and guidance contained in the NPPF.

7.0 Working with the applicant / agent

7.1 In accordance with paragraphs 39-41 of the NPPF (2021) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

7.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

7.3 In this instance the applicant sought pre-application advice from officers as to what works required planning permission and what could be carried out under permitted development. The application is considered acceptable and therefore no further assistance was required.

8.0 **RECOMMENDATION:** It is recommended that the application be granted **CONDITIONAL PERMISSION** subject to the following conditions and reasons:

- 1) The development to which this permission relates must be begun before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 (1) of the Town & Country Planning Act 1990, as amended

- 2) The materials to be used in the development shall be as indicated on the approved plans unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and to comply with policy GC1 of the Chiltern District Local Plan (Adopted September 1997:

Consolidated September 2007 & November 2011) and guidance contained in the National Planning Policy Framework.

- 3) The scheme hereby permitted shall be implemented in accordance with the scheme of Ecological works as outlined in the Natural England Licence WML-CL47 received by the Local Planning Authority on 5 May 2022

Reason: Reason: In order to safeguard the protected species identified under the Wildlife and Countryside Act 1981 (as amended) and to comply with policy CS24 of the Chiltern District Local Plan (Adopted September 1997: Consolidated September 2007 & November 2011) and guidance contained in the National Planning Policy Framework.

- 4) This permission relates to the details shown on the approved plans as listed below:

List of approved plans:

Received	Plan Reference
05/05/2022	4309-RHB-XX-XX-DR-M-1101-T1
05/05/2022	Roof Plan SK01. Rev. B.
23/05/2022	Location plan

APPENDIX A: Consultation Responses and Representations

Councillor Comments

No comments received at time of writing report.

Town Council Comments

“No comments” received 20.06.2022.

Consultation Responses

Environmental Health/Protection Officer – raise no objection to the application.

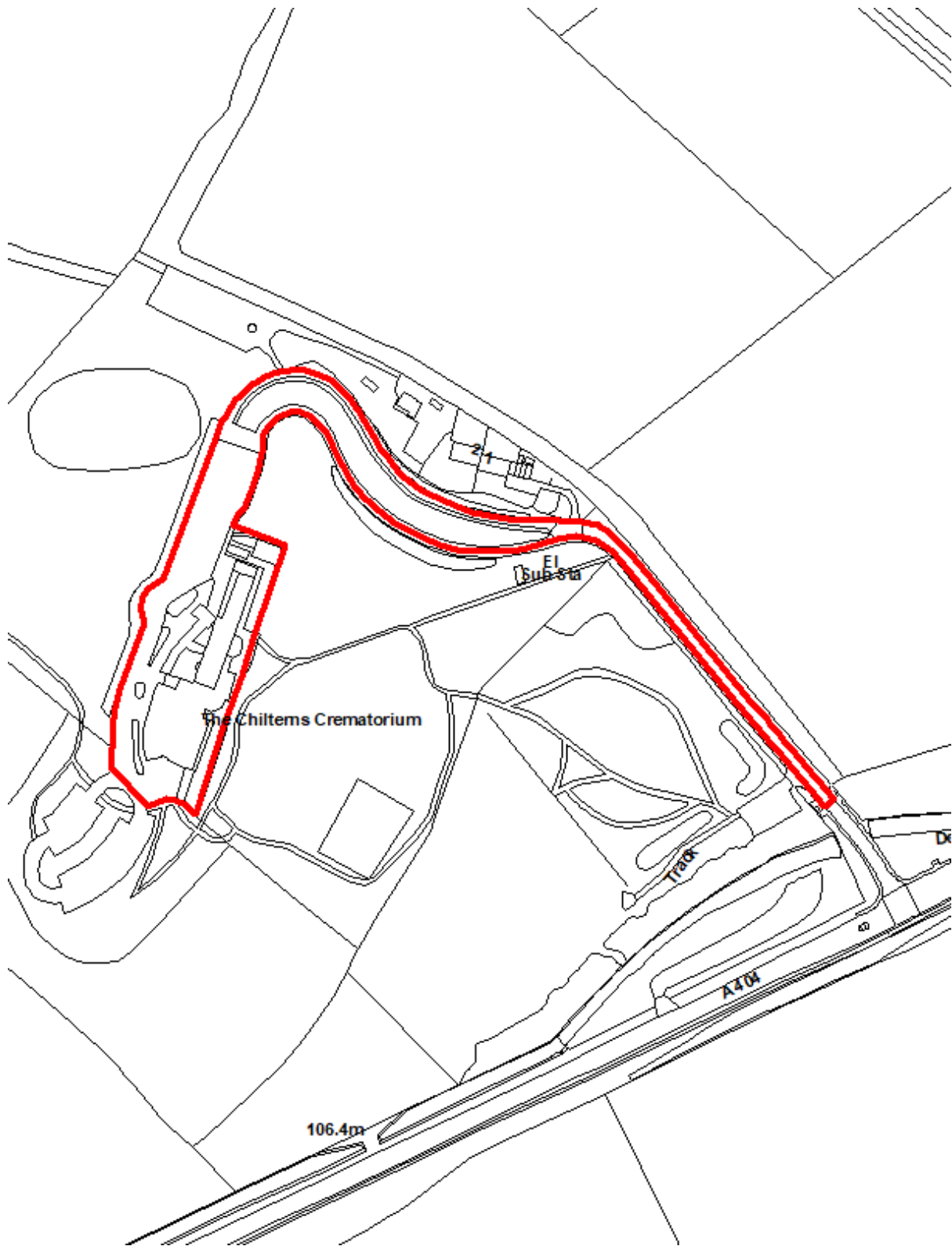
Tree Officer – No objection to the scheme.

Representations

None received at time of writing report.

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APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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