



South Buckinghamshire Area Planning Committee agenda

Date: Tuesday 27 September 2022

Time: 2.30 pm

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

Membership:

T Egleton (Chairman), D Anthony, P Bass, T Broom, S Chhokar, P Griffin, G Hollis (Vice-Chairman), Dr W Matthews, G Sandy and A Wheelhouse

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For further information please contact: Liz Hornby on 01494 421261, email democracy@buckinghamshire.gov.uk.



South Buckinghamshire Area Planning Committee minutes

Minutes of the meeting of the South Buckinghamshire Area Planning Committee held on Tuesday 2 August 2022 in Amersham Council Chamber, King George V House, King George V Road, Amersham HP6 5AW, commencing at 2.00 pm and concluding at 3.36 pm.

Members present

T Egleton, D Anthony, P Bass, M Bracken, S Chhokar, Dr W Matthews and G Sandy

Others in attendance

L Hornby, S Penney, M Radley, R Regan, B Robinson and K Stubbs

Apologies

T Broom, P Griffin, G Hollis and A Wheelhouse

Agenda Item

1 Declarations of Interest

There were none.

2 Appointment of Vice-Chairman

Members noted the appointment of Councillor Guy Hollis as the Vice-Chairman of the South Buckinghamshire Area Planning Committee for the Municipal Year 2022/2023

3 Minutes

The minutes of the meetings held on Tuesday 12 April 2022 and 18 May 2022 were agreed as an accurate record

4 PL/21/4069/FA - St James Farm, Bangors Road South, Iver, Buckinghamshire, SLO OAL

Retrospective change of use of agricultural building to storage and distribution (Use Class B8).

After a lengthy debate Members voted unanimously in favour of the refusing the application for the following reasons:

While the application had been submitted in isolation, the Council was of the view that the site needed to be considered as a whole given the highways implications and the impact on the Green Belt. Information regarding the use of the site as a whole had been requested from the applicant but this had not been provided and without it the Local Planning Authority could not be satisfied that the development, combined with the uses of the remainder of the site. in the same ownership, would not have a detrimental effect on these matters.

The proposal was therefore contrary to policies GB1, GB2 and TR5 of the South Bucks Local Plan and Core Policy 7 of the Core Strategy and also the relevant sections of the NPPF.

It was proposed by Councillor P Bass and seconded by Councillor S Chhokar.

Resolved: that the application be refused for the reasons given above.

5 Date of Next Meeting

Tuesday 30 August 2022 at 2.30pm

6 Availability of Members Attending Site Visits (if required)



Report to South Area Planning Committee

Application Number:	PL/22/0793/FA
Proposal:	Change of use to a public house (a Sui Generis use) with expanded food provision; external alterations including 4 side rooflights, rear extract duct and air conditioning condensers; outside seating area and all associated works
Site location:	10 Packhorse Road, Gerrards Cross, Buckinghamshire, SL9 7QE,
Applicant:	Oakman Inns and Restaurants Ltd
Case Officer:	Richard Regan
Ward affected:	Gerrards Cross
Parish-Town Council:	Gerrards Cross Town Council
Valid date:	4 March 2022
Determination date:	29 September 2022
Recommendation:	Conditional permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application proposes the change of use of the existing building to a public house (a Sui Generis use) along with external alterations including 4 side rooflights, rear extract duct and air conditioning condensers, and an outside seating area.
- 1.2 It is considered that the proposed change of use is appropriate for Gerrards Cross Town centre and is considered to the vitality and viability of the town.
- 1.3 Subject appropriate conditions to control noise and odour, it is considered that the proposal would not adversely impact upon the amenities of surrounding neighbouring properties.
- 1.4 The application has been referred for determination by the South Area Planning Committee following it being called in by Cllr Bracken.
- 1.5 Recommendation – Conditional Permission.

2.0 Description of Proposed Development

- 2.1 The application proposes the change of use of the existing building to a public house (a Sui Generis use) along with external alterations including 4 side rooflights, rear extract duct and air conditioning condensers, and an outside seating area.

2.2 The application site is located within Gerrards Cross Town Centre, on the east side of Packhorse Road, which falls within the developed area, outside of the Green Belt. The existing building is currently vacant, having most recently been occupied by Marks and Spencer Food Hall.

2.3 The application is accompanied by:

- a) Design and Access Statement
- b) Planning and Heritage Statement
- c) Transport Statement
- d) Noise Impact Assessment
- e) Odour Assessment
- f) Noise Management Plan

3.0 Relevant Planning History

Relevant planning history for the site:

05/00636/FUL – Conditional Permission, 28 June 2005 - Change of use of ground floor car sales showroom to class A1 (shop) use.

06/00433/FUL – Conditional Permission, 9 May 2006 - New shop front, rear plant enclosure with 3m timber wall, insertion of fire door.

06/00434/ADV – Conditional Consent, 15 May 2006 - Free standing illuminated sign.

06/00435/ADV – Conditional Consent, 15 May 2006 - Illuminated fascia sign.

06/00909/FUL – Conditional Permission, 10 August 2006 - Plant enclosure, installation of plant and insertion of three exterior louvres.

06/01422/FUL – Conditional Permission, 20 November 2006 - Replacement front canopy and installation of two external air conditioning units.

10/01875/TEMP – Conditional Permission, 24 January 2011 - Stationing of a temporary chilled container for storage purposes to be used from the 1st December to 31st January inclusive and annually.

12/01319/FUL – Conditional Permission, 13 November 2012 - Siting of temporary storage container between 1st November and 31st January and annually.

15/02410/ADV – Conditional Consent, 18 February 2016 - Three replacement metal fascia signs and one totem and metal panel sign.

4.0 Summary of Representations

4.1 Objections have been received from 13 separate sources, whilst letter of support have been received from 20 separate sources. Gerrards Cross Town Council raise no objections to this application subject to the 1st floor flat not to be privately rented and only being occupied by the staff. A summary of consultation responses and representations made on the application can be viewed in Appendix A.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), February 2021.
- Planning Practice Guidance
- National Design Guidance, October 2019
- South Bucks Core Strategy Development Plan Document - Adopted February 2011

- South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011;
- South Bucks District Local Plan Appendix 5 (Conservation Areas)
- South Bucks District Local Plan Appendix 6 (Parking standards)
- South Bucks District Council Residential Design Guide Supplementary Planning Document (SPD) - Adopted October 2008
- Chiltern and South Bucks Townscape Character Study 2017
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule
- Burnham Beeches Special Area of Conservation (SAC) Mitigation Strategy, March 2020

Principle and Location of Development

Core Strategy Policies:

CP1 (Housing provision and delivery)

CP10 (Employment)

CP11 (Healthy and viable town and village centres)

Local Plan Saved Policies:

TC1 (Development in Beaconsfield (New Town), Burnham and Gerrards Cross)

S1 (District Shopping Centres (Beaconsfield and Gerrards Cross))

- 5.1 Policy TC1 recognises that town centres such as Gerrards Cross Town should display a range of services and variety of different uses in order to enhance the vitality and viability of the town centre. The value of having a range of uses in the centres is recognised and to this end, the Council will protect existing key uses and encourage proposals which add to the diversity of the centres.
- 5.2 Policy S1 reiterates the aims of policy TC1 in that it seeks to sustain and enhance the vitality and viability of the District Shopping Centres, but concentrates on the protection and enhancement of the retail function.
- 5.3 It should be noted that recent changes to the Use Class Order has allowed greater flexibility for changes of use within town centre locations.
- 5.4 In principle, it is considered that the proposed use of the application site as a Public House with extended food provision, is an appropriate use for Gerrards Cross Town Centre. There are already other such establishments present in the Town, and this additional unit would add to the choice for visitors. Restaurants/Pubs are common uses found within town centres, which are considered to add to the vitality and viability of the town.
- 5.5 In terms of the need for another public house/restaurant in the area, it is considered that the introduction of a public house in this location would not result in an over-dominance of such uses at the expense of other retail units or the Town centre itself. As such, it is considered that the introduction of an additional Public House would be beneficial in terms of supporting the Town Centre and would meet with the aims of the NPPF in ensuring the vitality of the Town Centre, as well as policy TC1 and S1 of the South Bucks District Local Plan (1999), CP11 of the South Bucks District Core Strategy (2011).

Provision of Housing

Core Strategy Policies:

CP1 (Housing Provision and Delivery)

CP2 (Housing Type and Size)

- 5.6 It is noted that the first floor element of the existing building appears to constitute a residential flat, although there does not appear to be any planning history related to its creation. From reviewing previous applications, it was at one time used as an office, presumably in connection to the use being carried out at ground floor, and it is assumed that at some point it was converted into residential accommodation ancillary to the main use taking place on the ground floor. The current proposal seeks to retain this residential accommodation as staff accommodation for use by the manager of the pub once it is operational. As such, the planning unit would remain as one unit, with the pub operating at ground floor and an ancillary residential flat above. A condition can be attached to any permission granted that ensures that this remains the case and that the residential accommodation is only occupied by an employee who works at the site. This will also ensure that the site remains as one planning unit. Such an approach would address the concerns raised by Gerrards Cross Town Council over the occupation of the flat.

Transport matters and parking

Core Strategy Policies:

CP7 (Accessibility and transport)

Local Plan Saved Policies:

TR5 (Access, highways work and traffic generation)

TR7 (Traffic generation)

- 5.7 The Councils Highways Officer has assessed the application, and in terms of trip generation, they consider that the proposed development is likely to result in a significant reduction in vehicular trips associated with the site. They are therefore satisfied that there would not be any adverse highway impact associated with the proposed change of use.
- 5.8 In terms of parking provision, as per the situation with the previous use, the proposed development does not include any parking provision. However, given the highly sustainable location of the site in the centre of Gerrards Cross and the expected significant reduction in movements, the Highway Officer does not raise any objections on the grounds that there is no parking provision proposed. This view has also been made in light of the parking accumulation survey of public car parks in the vicinity that has been submitted by the application, and which demonstrates that sufficient capacity is available.
- 5.9 Cycle storage for both staff and guests is also to be provided which is positive and should help to maximise the sustainable transport opportunities of the site.
- 5.10 Deliveries and servicing of the site is expected to take place as per the existing arrangements. The Highways Officer does not consider that this would be worsened as a result of the proposed change of use and they therefore have no objection to this arrangement.
- 5.11 In light of the above, it is considered that the proposal would not lead to any unacceptable highway implications or danger.

Raising the quality of place making and design

Core Strategy Policies:

CP8 (Built and historic environment)

Local Plan Saved Policies:

EP3 (The Use, Design and Layout of Development)

EP6 (Designing to Reduce Crime)
EP7 (Signs and advertisements)
H9 (Residential development and layout)

- 5.12 The proposal involves a number of external alterations to the existing building including the insertion of 4 rooflights; fenestration alterations to front elevation and canopy; new shop front; replacement external condensers within rear yard; and introduction of kitchen extract equipment; and introduction of seating to front of site.
- 5.13 The proposed alterations to the front of the building are considered to be appropriate and of an acceptable design, helping to improve the appearance and quality of the existing building. The introduction of seating at the front of the building is a feature seen elsewhere within the Town, and it is considered that the building is set back sufficiently from the footpath to enable this facility to be catered for without adversely impacting upon the free flow of pedestrians. Overall therefore, it is considered that the proposed revisions to the front of the property are acceptable and would not result in the site appear out of keeping or incongruous within the street scene.
- 5.14 The remainder of the proposed works, including the roof lights and condensers and duct work, are located to the side and rear of the building and would have limited its presence within the street scene and wider locality. There are existing condenser units at the rear of the property, and the presence of such features, together with extract ducts and flues, are common features that exist on a number of buildings within the Town centre location, and such, would not be unusual.
- 5.15 Overall therefore, it is considered that the proposed external works would be satisfactory in terms of the character of the host building and wider area. The proposal would therefore align with Local Plan policies EP3, H9 and the NPPF.

Amenity of existing and future residents

Local Plan Saved Policies:

EP3 (The use, design and layout of development)
EP5 (Sunlight and daylight)

- 5.16 Given the nature and scale of the proposed physical alterations, combined with the distances retained to the nearest residential properties, it is considered that the proposals would not lead to any unacceptable loss of light or privacy to these neighbouring properties, nor would there be an issue of overdominance or obtrusiveness.
- 5.17 It is acknowledged that there has been considerable concern raised by some local residents regarding the potential noise and odour impacts of the proposed change of use.
- 5.18 With regard to the issue of potential noise impacts, it is acknowledged that the proposed use would operate in a different manner to that of the previous retail use of the site, with later opening times, as well as the introduction of an outdoor seating area to the front of the site.
- 5.19 In support of the application the applicant has supplied a Noise Impact Assessment, this deals with noise matter pertaining to potential customer noise, mechanical plant noise. A Noise Management Plan has also been submitted which sets out how it is intended to control and management noise created by the facility, and which includes

the closure of the proposed outdoor seating area at 9pm. It is noted that objections have been raised from local residents questioning the methodology of the assessment, however, the noise assessment and Noise Management Plan has reviewed by the Council's Environmental Health officers, and no objections have been raised in terms of noise impacts on neighbouring residential amenity as a result of patron or mechanical noise. They consider that subject to the implementation and continued abidance with the submitted Noise Management Plan, then the proposed use would not lead to unacceptable noise impacts on the amenities of neighbouring residents.

- 5.20 With regard to Odour, the Councils Environmental Health Officer is content, that subject to the submission of further technical details of the extract/ventilation equipment to be installed, and given the site circumstances and relationship with surrounding properties, that any such equipment will be able to sufficiently control odour emissions to an appropriate level so as to not cause a statutory nuisance or cause harm to the amenities of neighbouring residential properties.
- 5.21 Overall, given the sites location within the centre of Gerrards Cross town, and the presence of other similar uses, it is considered that there would be no unacceptable impacts on the amenities of the adjacent neighbouring properties in terms of noise or odour. In addition, it should be also noted that matters in relation to noise and odour can be addressed under other legislations such as the Environmental Protection Act 1990. The applicant would also have to apply for the relevant licences, and this would fall outside of planning legislation.

Environmental issues

Core Strategy Policies:

CP13 (Environmental and resource management)

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

- 5.22 Waste would be stored to the rear of the building, as opposed to the front of the property, where it is currently stored. It would be collected in the same manner as it currently is, with bins place adjacent to the highway on the day of collection. The Council Highways Officer raises no objections to this approach.
- 5.23 Concern has been raised by local residents on the potential of light pollution that may be created by the proposals. However, given that the site is located within the centre of Gerrards Cross town which is served by street lighting and various other establishments that are open into the evenings and distribute light. Given that the primary source of light will emanate from the front of the site and onto the high street, it is considered that it would not result in a material increase in the level of light provision within the locality or lead to light pollution that would warrant refusing the scheme.

Historic environment (or Conservation Area or Listed Building Issues)

Core Strategy Policies:

CP8 (Built and historic environment)

Local Plan Saved Policies:

C1 (Development within a Conservation Order)

- 5.24 Whilst not in the Conservation Area, it is acknowledged that the application is sited immediately adjacent to it, with the Conservation Area lying immediately to the rear, and then also further to the north and south. As such, an assessment needs to be

made as to whether the proposal would adversely impact upon the setting of the Conservation Area.

- 5.25 In terms of the impact of the actual proposed use, it has already been considered that the introduction of a pub on this site would not be out keeping or inappropriate for this town centre location. As such, it is considered that the use itself, would not adversely impact upon the setting of the Conservation Area. With regard to the physical alterations to the proposed building, it is considered that these are all fairly small scale and definitely do not increase the height, size or scale of the existing building. The proposed alterations to the front of the building have been considered to be appropriate and inkeeping with the existing building and town centre location, and are therefore not considered to harm the setting of the adjacent Conservation Area. In terms of the proposed works to the rear, there are already plant and condenser units to the rear of the building, so the proposals would not be introducing a type of structure that is not already present or common in this locality. Whilst it is acknowledged that the proposal will involve the introduction of duct extract/flue at the rear, this again is not an uncommon feature seen elsewhere within the actual Conservation Area, and when combined with the proposed height and scale of the works, it is not considered that they would adversely impact upon the setting or appearance of the adjacent Conservation Area.
- 5.26 Overall therefore, it is considered that the proposal would preserve the setting of the adjacent conservation area.

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 would accord with the development plan policies.

7.0 Working with the applicant / agent

- 7.1 In accordance with paragraph 38 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, further information has been submitted by the applicant to address concerns relating to noise and odour impacts.

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

1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice. (SS01)
Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).
2. Before any plant and/or machinery is used in connection with the use hereby approved it shall be installed and operated in accordance with a written scheme agreed with the Local Planning Authority. The acoustic impact of the plant and/or machinery shall be no more deleterious than the criteria set out paragraph 3.3.1 of the Noise Impact Assessment document prepared by Scotch Partners LLP (report reference Rp1 dated 2/3/2022). Any measures which form part of the scheme shall thereafter be retained.
Reason: To protect the amenities of neighbouring properties and the locality. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
3. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between the hours of 20:00 hours and 08:00 hours on the following day.
Reason: To protect the amenities of neighbouring properties and the locality. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
4. No deliveries shall take place to the premises between 20:00 hours and 08:00 hours on the following day.
Reason: To protect the amenities of neighbouring properties and the locality. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
5. The development hereby approved shall not take place until a written management plan detailing any plant including air ventilation, cooling, heating, extraction, or odour control systems has been submitted to and approved in writing by the Local Planning Authority. This management plan shall include and reflect the outcome of a written odour risk assessment and also include written details relating to the maintenance requirements of the proposed plant in order to maintain its future effectiveness.
Reason: To protect the amenities of neighbouring properties and the locality. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
6. No part of the development shall come into use until the plant authorised by condition 5 as regards odour control has been installed and commissioned in strict accordance with the approved management plan.
Reason: To protect the amenities of neighbouring properties and the locality. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
7. The plant authorised by condition 5 shall be retained, operated, and maintained in strict accordance with the agreed management plan in perpetuity. The odour risk assessment in connection with condition 5 shall be based on published guidance - Commercial Kitchens: Control of Odour and Noise from Commercial Kitchen Exhaust Systems (by Ricardo Energy and Environment 2018).
Reason: To protect the amenities of neighbouring properties and the locality. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

8. The use of the site as a pub, as hereby permitted, shall be carried out and maintained in perpetuity in strict accordance with the Noise Management Plan submitted and approved as part of this application.

Reason: To protect the amenities of neighbouring properties and the locality. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

9. The development to which this planning permission relates shall be undertaken solely in accordance with the following drawings:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
18 Jul 2022	Noise Management Plan
24 May 2022	Proposed Canopy Elevation D
24 May 2022	Proposed Canopy Layout D
4 Mar 2022	F0-04(01)H
4 Mar 2022	03/04
4 Mar 2022	03(02)B
4 Mar 2022	OAK/DRAFT/260122

INFORMATIVE(S)

1. Due to the close proximity of the site to existing residential properties, the applicants' attention is drawn to the Considerate Constructors Scheme initiative. This initiative encourages contractors and construction companies to adopt a considerate and respectful approach to construction works, so that neighbours are not unduly affected by noise, smells, operational hours, vehicles parking at the site or making deliveries, and general disruption caused by the works.

By signing up to the scheme, contractors and construction companies commit to being considerate and good neighbours, as well as being clean, respectful, safe, environmentally conscious, responsible and accountable. The Council highly recommends the Considerate Constructors Scheme as a way of avoiding problems and complaints from local residents and further information on how to participate can be found at www.ccscheme.org.uk. (SIN35)

2. This Planning Permission does not purport to grant a Premises Licence/Club Premises Certificate and the Applicant is advised to contact the Licensing Team at Buckinghamshire Council - South Bucks Local Area, in order to submit the necessary Licensing application prior to commencement of the use. (SIN27)
3. The applicant is advised that further advert consent would be required for any signage in connection with the proposed development.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

CLlr Michael Bracken:

I would like to call in this application as it merits scrutiny in the public interest

Town Council Comments

1st comments received 7th April 2022

No objection:-

If the application is granted permission the Council would like the following condition applied:

The flat upstairs is not to be privately leased and is used for the staff of the public house only

2nd comments received 2nd August 2022

Gerrards Cross Town Council has no objection to this application subject to the planning officer being satisfied and the 1st floor flat not to be privately rented. This can only be occupied by the staff

Consultation Responses

Highways Officer:

Packhorse Road is known as the B416 and runs through the centre of Gerrards Cross. The road is subject to a 30mph speed limit in this location. This application seeks permission for the change of use from retail to a public house/restaurant.

In terms of trip generation, having carried out my own TRICS[®] assessment and compared this with the TRICS[®] assessment provided by the applicant, I can confirm that the proposed development is likely to result in a significant reduction in vehicular trips associated with the site. I am therefore satisfied that there would not be any adverse impact associated with the proposed change of use.

As per the situation with the previous use, the proposed development does not include any parking provision. Given the highly sustainable location of the site in the centre of Gerrards Cross and the expected significant reduction in movements as demonstrated above, I am not in a position to recommend refusal on this basis. In addition, the applicant has supported this through the submission of a parking accumulation survey of public car parks in the vicinity which demonstrate that sufficient capacity is available.

Cycle storage for both staff and guests is also to be provided which is positive and should help to maximise the sustainable transport opportunities of the site.

Deliveries and servicing of the site is expected to take place as per the existing arrangements. It is not considered that this would be worsened as a result of the proposed change of use and I therefore have no objection to this arrangement.

Mindful of the above, I have no objection to the proposed development and no conditions to include in this instance.

Environmental Health Officer:

1st comments received 14th April 2022:

I have reviewed the application together with the relevant supporting documentation and would like to make the following comments regarding the likely impacts of the proposed development in terms of local amenity:

Environmental noise:

A) Plant noise

I have studied the Noise Impact Assessment document prepared by Scotch Partners LLP (report reference Rp1 dated 2/3/2022) as regards mechanical services and plant and agree with its key conclusion that, subject to use of appropriate mitigation measures, noise from these sources need not materially degrade existing nearby residential amenity.

Nonetheless, as there is always likely to be some difference between predicted and actual noise emissions from equipment that is not already in situ and so I believe that the condition below/over page is necessary and proportionate in order to ensure that the equipment that is ultimately commissioned performs appropriately.

Before any plant and/or machinery is used in connection with the premises hereby approved it shall be installed and operated in accordance with a written scheme agreed with the Local Planning Authority. The acoustic impact of the plant and/or machinery shall be no more deleterious than the criteria set out paragraph 3.3.1 of the Noise Impact Assessment document prepared by Scotch Partners LLP (report reference Rp1 dated 2/3/2022). Any measures which form part of the scheme shall thereafter be retained.

B) Deliveries and waste collections

Given the proximity of the development site to residential properties I believe that some control of when deliveries and waste collections can take place is appropriate:

No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20:00 hours and 08:00 hours on the following day.

No deliveries shall take place to the premises between 20:00 hours and 08:00 hours on the following day

C) Patron noise

This element of environmental noise associated with the development site is likely to represent a significant risk to local amenity and it is also relatively unpredictable.

Technical advice on environmental noise and its influence on land use planning is provided in Planning Practice Guidance, published by the Ministry of Housing, Communities & Local Government (MHCLG). Planning Practice Guidance Noise (PPGN) was published in March 2014 and most recently updated in July 2019; PPGN forms part of the National Planning Policy Framework (NPPF).

In broad terms, the Noise Impact Assessment report estimates the likely noise levels arising from patrons (whilst outside) at nearby residential receptors. However, I can see no contextualisation of the prediction data in terms of the Planning Practice Guidance (PPG) categories. I believe that the modelled data indicates (as supported by my experience of regulating premises such as this) that the noise impact of patrons situated at the front of the premises can reasonably be said to fall within the Lowest Observed Adverse Effect Level (LOAEL) category:

Noise can be heard and causes small changes in behaviour and/or attitude, e.g. turning up volume of television; speaking more loudly; where there is no alternative ventilation, having to close windows for some of the time because of the noise. Potential for some reported sleep disturbance. Affects the acoustic character of the area such that there is a perceived change in the quality of life.

PPG recommends the appropriate response, in planning terms, is to 'mitigate and reduce to a minimum'. The Noise Impact Assessment report does not cite any mitigation measure(s) - in my opinion this is a significant omission. Accordingly, I recommend the following conditions:

Members of the public shall not be permitted to enter or remain in the front terrace as marked on Drawing number F0-04(01)H dated 23/11/2021 from 21:00 to the time that the premises cease to be open to the public.

All windows and external doors on the front elevation of the premises shall be kept closed after 21:00 hours except for the immediate access and egress of persons.

- D) Noise breakout from the structure I can see no reference to the potential noise breakout from the structure of the premises arising from either entertainment or patrons (I note that there are extensive openings at the front the building) or the assessment of noise associated with patrons arriving or leaving the premises. I am also unclear where patrons wishing to smoke will be accommodated as this activity can be a common cause of noise complaint.

I appreciate that some entertainment is a regulated activity as regards the Licensing Act 2003 and therefore it should be subject to control via a Premises Licence in due course. However, The Live Music Act 2012 deregulates amplified live music (including karaoke) under the following circumstances:

- It occurs between the hours of 08:00 and 23:00 hours
- It occurs at venues that are either licensed for alcohol or are work places.
- The audience is not more than 200 per room.

Accordingly, I am concerned that the Licensing Act 2003, et al, provides an inadequate system of control for the protection of local amenity in this instance and therefore it is appropriate for the Local Planning Authority (LPA) to be satisfied that the application deals with these concerns appropriately.

As there is no assessment of the above noise I would recommend that the LPA holds determination of this application in abeyance until such time the applicant and/or agent has had an opportunity to clarify the proposed mechanism(s) of control. If, however, the LPA is minded to grant permission without this then I would recommend the following condition but I would caution that its discharge (where relevant) could prove problematic:

The premises shall not be occupied before a noise management plan has been submitted to and approved in writing by the Local Planning Authority which specifies the measures to be taken to control noise associated with entertainment and patrons. Thereafter, the use shall not commence until the approved plan has been fully implemented and shall thereafter be retained.

Offensive odour arising from cooking activity

The application clearly refers to the installation of a commercial kitchen and associated air handling plant. However, I can see no assessment as to the potential liberation of offensive odours to the local environment and how this has informed the selection of abatement plant, etc. Such an assessment is a common requirement for all new food businesses seeking permission to operate in a residential area.

Accordingly, I would recommend the following condition:

The premises shall not be occupied until details of any air ventilation, extraction and odour control systems have been submitted to and approved in writing by the Local Planning Authority. These details shall include an odour risk assessment and the proposed methods for odour control. This shall include height, position, design and materials of any chimney or extraction vent to be provided in connection with the development. Thereafter, the use shall not commence until the approved scheme has been fully implemented and shall thereafter be retained.

The proposed system should adhere to the published guidance for Commercial Kitchens: Control of Odour and Noise from Commercial Kitchen Exhaust Systems (by Ricardo Energy and Environment 2018).

If you would like to discuss this case, please do not hesitate to contact me. Andrew Godman Environmental Health Officer INFORMATIVE: Information for Developers and guidance documents can be found online at: <http://www.chiltern.gov.uk/construction-sites>

2nd comments received 21/06/2022:

Thank you for consulting the Strategic Environmental Health Protection Team regarding developments with this application. I have reviewed the documents submitted since my memorandum of 14/4/2022 and make the following comments:

Plant noise

I note the contents of both the reports of Jostec (reference 2221603, dated 13/4/2022) and Scotch Partners LLP (dated 17/5/2022).

As my memorandum of 14/4/2022 made clear, albeit in connection with patron noise, the appropriate decision making framework for land use planning and environmental noise is set out in Planning Practice Guidance Noise (PPGN) which was last revised in 2019. NB: PPGN forms part of the National Planning Policy Framework (NPPF).

This guidance makes reference to a table (reproduced over page) that summarises a noise exposure hierarchy, based on the likely average response of those affected, and how Local Planning Authorities (LPAs) should deal with each broad application scenario.

PPGN makes no direct reference to BS4142:2014 and so judgement is need as to the interpretation of the interplay of these two noise guidance documents (one conceptual, the other technical). The broad thrust of PPGN is that noise is often an inevitable consequence of development and therefore LPAs should seek to control, rather than eliminate, it.

Noise Exposure Hierarchy table - PPGN

The original Noise Impact Assessment document prepared by Scotch Partners LLP (report reference Rp1 dated 2/3/2022) estimated the impact of plant noise associated with the development and concluded that, in the context of BS4142:2014, the projected daytime Rating Level would be no more than the prevailing background level and at night time it would be 6dB below the relevant background level (see para 3.9.2).

For the avoidance of doubt, BS4142:2014 provides the following narrative on how the difference between Rating and background levels should be interpreted:

So, the estimated impact of the noise in question is low, in the case of daytime operation of the plant, and less than that as regards its night time use. In my view the proposed development, in the context of plant noise, falls within the No Observed Adverse Effect Level (NOAEL) of PPGN and therefore the appropriate LPA response is 'no specific measures required' which is why I recommended a condition that anchors the noise impact, in the real world, to the level difference(s) set out in the Scotch Partners LLP report. It is important to note that when discharging this condition the actual Rating level should be used to inform this decision (i.e. BS4142:2014 penalties, as appropriate, will be applied as the specification and performance of the plant will be known at that point).

Both Jostec and Scotch Partners LLP make reference to earlier decisions of this LPA and other LPAs as regards the maximum permitted difference between BS4142:2014 Rating and background noise levels. I would point out that some of the decisions cited in the above reports predate PPGN (particularly the current version) or were made by LPAs who are likely to have, such as the London Borough of Westminster, specific local planning policies that offer more stringent controls over noise; no such local policies exist in the context of this application.

Accordingly, I believe my advice on this point to the LPA made in my April 2022 memorandum remains appropriate.

Noise breakout from the structure

I have reviewed the draft Noise Management Plan for the premises and broadly believe it is fit for purpose vis-à-vis the control of noise breakout from the building. However, there are some points (such as the setting of a noise limiter) that require some clarification and so I am content for the author of this document to communicate with me directly regarding its finalisation and authorisation – it can then be submitted to the LPA for formal consideration in connection with the determination of this application.

Offensive odour arising from cooking activity

I believe that it is important to note that the DEFRA Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2005) was withdrawn some years ago, hence my reference to the current commonly accepted guidance document Commercial Kitchens: Control of Odour and Noise from Commercial Kitchen Exhaust Systems (by Ricardo Energy and Environment 2018).

Accordingly, I do not think it is productive for me to comment on the DEFRA assessments submitted by either the applicant's agent or local resident as they are based on withdrawn guidance. Once an assessment has been completed (having regard to the above Ricardo Energy and Environment guidance) I would be content to comment on it. However, it is vitally important that the risk assessment isn't seen as a standalone exercise – it should be used to inform the selection and

installation of odour abatement equipment. Indeed, I would expect to see a narrative explaining how the proposed plant will meet the scale of the challenge described within the above assessment.

Again, for the avoidance of doubt, this link between assessment and selection of abatement plant could be made clear by way of a revised condition:

1(a) Works to the premises hereby permitted shall not take place until a written management plan detailing any plant including air ventilation, cooling, heating, extraction, or odour control systems has been submitted to and approved in writing by the Local Planning Authority. This management plan shall include and reflect the outcome of written odour risk assessment and also include written details relating to the maintenance requirements of the proposed plant in order to maintain its future effectiveness.

1(b) No part of the development shall come into use until the plant authorised by 1(a) above as regards odour control has been installed and commissioned in strict accordance with the approved management plan.

1(c) The plant authorised by 1(a) above shall be retained, operated, and maintained in strict accordance with the agreed management plan in perpetuity.

The odour risk assessment in connection with 1(a) above shall be based on published guidance - Commercial Kitchens: Control of Odour and Noise from Commercial Kitchen Exhaust Systems (by Ricardo Energy and Environment 2018).

Since the practical control measures associated with the management of odour and noise/vibration are often closely related, I would strongly recommend that they are considered and implemented in an integrated way.

I hope this is of assistance. If you would like to discuss this case please do not hesitate to contact me

3rd comments received 3rd August 2022:

Thank you for consulting the Strategic Environmental Health Protection Team regarding amendments to this application. I have reviewed the documents submitted since my memorandums of 14/4/2022 and 21/6/2022 and make the following comments:

Noise Management Plan (non-plant noise)

I have reviewed the above document dated 18/7/2022 and believe that it is fit for purpose. Accordingly, subject to the inclusion of conditions restricting the presence of patrons on the front terrace in the evenings (see suggested condition in my memorandum of 14/4/2022) and adherence to the above Noise Management Plan, my concerns regarding patron noise have been resolved; accordingly, I have no outstanding objection to the granting of planning permission concerning this aspect of the application.

Please note this memo does not comments relating to air quality and contaminated land, where relevant, these comments will be provided separately.

If you would like to discuss this case please do not hesitate to contact me

Representations

Other Representations

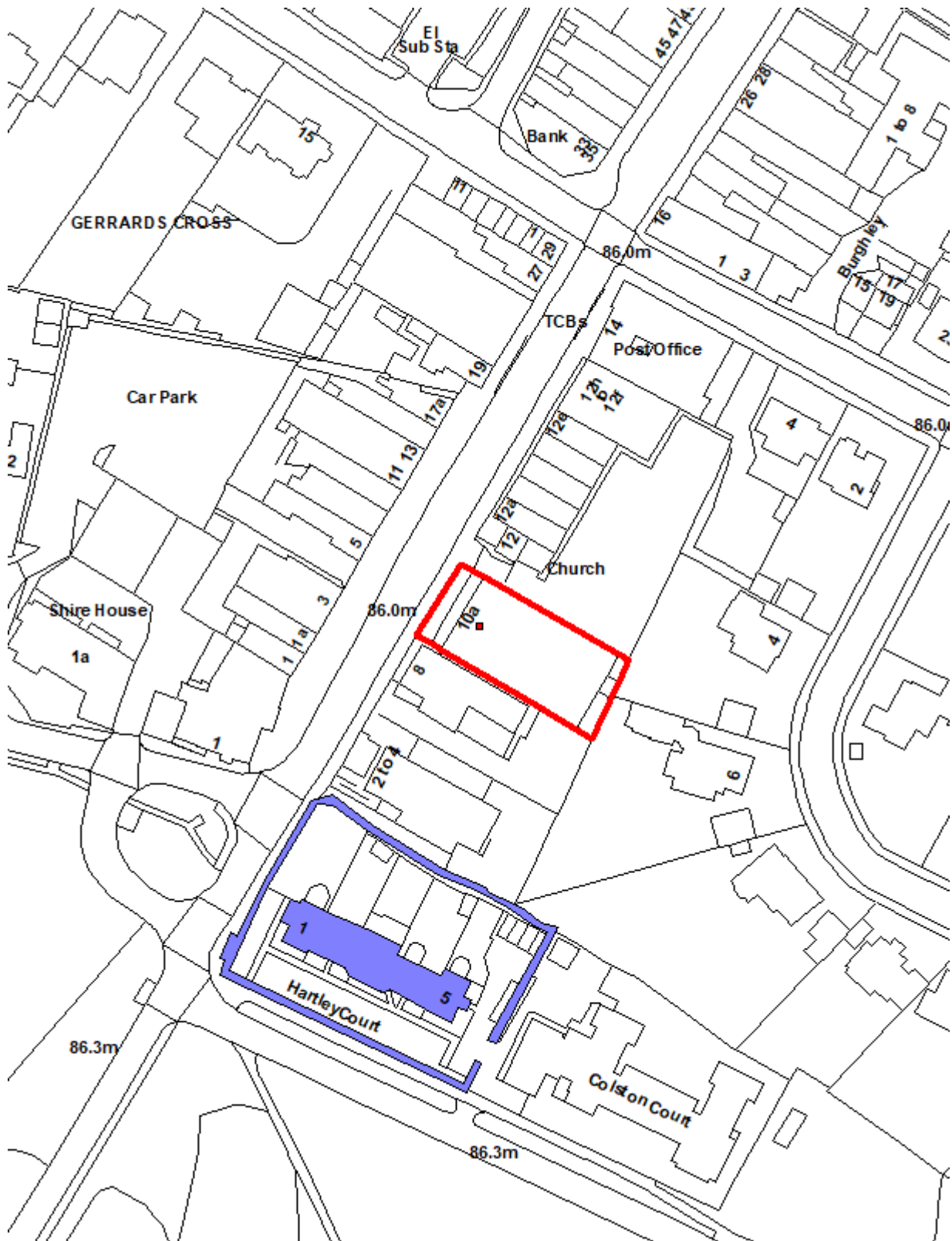
20 comments have been received supporting and simply commenting on the proposal:

- Will bring footfall and vibrancy to high street;
- Welcome the addition;
- Will be good thing for Gerrards Cross and its community;
- There is sufficient parking nearby;
- Will add to character of high street
- High street has been in decline;
- Will bring income into the community and new job opportunities

13 comments have been received objecting to the proposal:

- Noise impacts;
- Odour Impacts;
- Light pollution;
- Impact amenities of neighbouring properties;
- Impact on Conservation Area;
- Vermin;
- Incompatible with use of adjacent buildings and land;
- Detrimental to character and use of nearby properties;
- Concerns about apparent inaccuracies or inconsistencies in the application;
- Concern that the noise impact assessment is unrepresentative;
- Concern that the creation of such a large commercial kitchen will encourage vermin around the bins and storage areas;
- Increase in litter

APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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Report to South Area Planning Committee

Application Number:	PL/22/0463/FA
Proposal:	Change of shop front
Site location:	14 Station Road Gerrards Cross Buckinghamshire SL9 8EL
Applicant:	Mr Christopher Hall
Case Officer:	Jeanette Collins
Ward affected:	Gerrards Cross
Parish-Town Council:	Gerrards Cross Town Council
Valid date:	18 February 2022
Determination date:	5 September 2022
Recommendation:	Refuse permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application proposes a new shop front in connection with the change of use of a vacant shop to use as a bar. Change of use to a bar application given planning permission under reference PL/22/0467/FA.
- 1.2 The application site is within a Conservation Area and the shop unit is part of a building that is a Non-Designated Heritage Asset (NDHA).
- 1.3 The design of the proposed shop front would be modern in style and materials. It would detract from the traditional design of the other shopfronts that are part of the building. It would propose removing a centrally located recessed doorway that is a key feature of the traditional shop front and introducing a flush shop front that consists of a set of bi-fold doors and a main door. As such, it would fail to maintain the unity of the front elevation of the NDHA building and fail to preserve or enhance the appearance of the Conservation Area.
- 1.4 Whilst the opening of a vacant shop would add to the vitality and diversity of the town centre, the proposed shop front would result in less than substantial harm to both the Conservation Area and the NDHA building and the level of harm would outweigh any public benefits.
- 1.5 The application was called-in to planning committee by the 3 ward Councillors, Cllr Andrew Wood, Cllr Michael Bracken and Cllr Thomas Broom.

1.6 Recommendation – Refuse permission.

2.0 Description of Proposed Development

2.1 The application relates to a basement and ground floor shop unit that is currently vacant, last known use being a shoe shop, located on the south west side of Station Road, part of the Secondary Shopping Frontage in Gerrards Cross District Centre.

2.2 The application proposes a change to the shop front in connection with the change of use of the premises to a bar. A separate planning application reference PL/22/0467/FA, applied for the proposed change of use to bar. As there were no objections to the change of use in principle, planning permission was given on 8 August 2022, subject to conditions. The planning permission for change of use to a bar, did not purport to give any approval to proposed changes to the shop front, as applied for in this application.

2.3 The application is accompanied by:

- a) Heritage Statement received 18 Feb 2022
- b) Photos received 18 Feb 2022
- c) Supporting statement email from agent received 21 Apr 2022
- d) Further supporting statement email from agent received 6 Jun 2022
- e) Comments from applicant received 1 Aug 2022

2.4 In a meeting with the agent and applicant, to discuss heritage concerns, it transpired, that the originally submitted plans were not the shopfront design that the applicant had wished to apply for, that was to have included the option that the shop front would be able to be fully openable.

2.5 Given the above, amended plans were accepted that included the preferred shopfront design that would be able to be fully openable, with 3 bi-fold window panels that have the appearance of a stall riser and window panes, folding inward to the left and a single door, opening inward to the right. The amended plans also included some changes that intended to address some of the heritage concerns by reducing the height of the stall riser, together with the stated concession that the proposed signage would be located in a similar location to other units and that the shopfront security grill would be removed.

2.6 Subsequent, clarifying and corresponding amended plans were, requested and received.

3.0 Relevant Planning History

3.1 Relevant planning history for the site:

- PL/22/0467/FA, Change of use to Bar (Use Class E (B)) - Conditional Permission, 8 August 2022
- PL/22/2706/AV, Non-illuminated fascia sign and non-illuminated glazed fanlight - pending consideration

4.0 Summary of Representations

4.1 Buckinghamshire Council's Heritage Team, objected to the proposed shop front as an insensitive design that fails to preserve or enhance the character or appearance of the Conservation Area or the building that it is within, which is a 'Non-Designated Heritage Asset' (NDHA). The parish council had no objections to the proposal. The three ward councillors called-in the application, to be considered at planning committee and eight

comments supporting the proposal have been received. A summary of consultation responses and representations made on the application, may be viewed in Appendix A

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), February 2019.
- Planning Practice Guidance
- National Design Guidance, October 2019
- South Bucks Core Strategy Development Plan Document - Adopted February 2011
- South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011;
- South Bucks District Local Plan Appendix 5 (Conservation Areas)
- Chiltern and South Bucks Townscape Character Study 2017
- Gerrards Cross Common and Centenary Character Appraisal, 2009

Principle and Location of Development

Core Strategy Policies:

CP11 (Healthy and viable town and village centres)

Local Plan Saved Policies:

S1 (District shopping centres (Beaconsfield and Gerrards Cross))

TC1 (Development in Beaconsfield (New Town, Burnham and Gerrards Cross))

- 5.1 The principle of the change of use to a bar, has received conditional planning permission under planning reference PL/22/0467/FA. This application considers proposed changes in connection with that change of use. The application site is part of the Secondary Shopping Frontage of the Centre Inset Area and District Shopping Area of Gerrards Cross. The principle of development is that, the redevelopment of sites may be considered acceptable, if they preserve the centre's vitality or viability, maintain an appropriate level of diversification and do not detract from the retail attractiveness.
- 5.2 Proposals should not involve the loss of A1 retail frontage on a visually prominent site in the secondary shopping frontage and redevelopments are required to maintain a shop front appropriate to the shopping area and comply with all other relevant Development Plan Policies.
- 5.3 The National Planning Policy Framework (NPPF) was first published on 27 March 2012 and updated on, 24 July 2018, 19 February 2019 and 20 July 2021. Whilst this replaced the previous Planning Policy Statements and Guidance Notes, it does not replace existing local policies that form part of the development plan. It does state however, that the weight that should be given to these existing local policies and plans, will be dependent on their degree of consistency with the NPPF. Therefore, the closer the policies in the development plan to the policies in the Framework, the greater the weight that may be given to them. The NPPF at Section 7, under the heading "Ensuring the vitality of town centres" sets out that planning policies and decisions should support the role of town centres and take a positive approach to their adaptation.
- 5.4 Policies CP11, TC1 and S1 seek to retain key uses and enhance the vitality and viability of the town centre and district shopping centres, where possible, strengthening the retail function whilst having an appropriate level of diversification. A mix of appropriate uses is encouraged, as long as it does not detract from the viability or retail

attractiveness of the centre. Policy S1 in particular, requires the proposal maintains a shop front appropriate to the shopping area.

- 5.5 The change of shop front design is in connection with the change of use to a bar that would bring into use a vacant shop unit, providing local employment and a leisure use that has the potential to contribute to improving the vitality of this part of Gerrards Cross town centre.

Historic environment (or Conservation Area or Listed Building Issues)

Core Strategy Policies:

CP8 (Built and historic environment)

Local Plan Saved Policies:

C1 (Development within a Conservation Order)

EP3 (The Use, Design and Layout of Development)

- 5.6 The site is also located within the Gerrards Cross Centenary Conservation Area and policies CP8 and C1 require that any proposed works would need to preserve or enhance the character and appearance of the building and its surrounding area.
- 5.7 The NPPF at Section 16, under the heading "Conserving and enhancing the historic environment" sets out in paragraph 189 that heritage assets are an irreplaceable resource and it is important to conserve them in a manner appropriate to their significance and in paragraph 199 that great weight should be given to the assets conservation regardless of level of harm. Paragraph 197 says in determining applications, account should be taken of the significance of the heritage assets, how they contribute to economic vitality and make a positive contribution to local character.
- 5.8 Policy EP3 of the South Bucks District Local Plan (1999) refers to the use, design and layout of development and states that development will only be permitted where its scale, layout, siting, height, design, external materials and use are compatible with the character and amenities of the site itself, adjoining development and the locality in general.
- 5.9 The property is part of a building known as 'Marsham Chambers' that currently comprises of 1 large shop unit (16 to 18 Station Road) and 2 smaller shop units (12 and 14 Station Road with two floors of flats above (16A, 16B, 16C and 16D Station Road).
- 5.10 The building is a Non-Designated Heritage Asset (NDHA), identified as a Positive Unlisted Building in the Conservation Area, in the adopted Gerrards Cross Common and Centenary Character Appraisal, 2009. The building is directly referred to in the character appraisal, indicating its "character is well preserved".
- 5.11 The Council's Heritage Team raised objections to the proposed new shop front in terms of its impact on both the Conservation Area and the NDHA.
- 5.12 The current shop fronts attached to the Marsham Chambers building are all of a traditional style, with a more centrally placed recessed door with shop display windows either side of the door. The shop fronts have low stall risers with taller glazing above. This traditional and matching style makes a positive contribution to the Conservation Area and maintains the unity of the front elevation of the NDHA building.
- 5.13 The buildings architectural quality, such as stepped brick work around the centrally located entrance doors, herringbone pattern brick inset panels, decorative corbel brackets, leaded windows, serve to highlight the features of the property that make it

a heritage asset and the original shop fronts would have been of similar quality in terms of their proportion, detailing and materials. The 1933 original plans for the building refer to 'block of shops and four flats', though no detail of the number of shops or their shop front is shown on the plans. Whilst the detailed plans of the shopfronts were unable to be located, a historic photograph of a neighbouring building in Station Road taken around 1950 indicates the style of the traditional shop front design (As seen in the reply from the Heritage Team received 19 Aug 2022).

- 5.14 The Heritage Team consider that the proposed shopfront needs to relate to the design of neighbouring shop fronts that make up the building as a whole, in order to maintain the unity of the front elevation. To reduce the scale of harm to the heritage asset, a proposed shopfront should have a more central doorway, recessed, though a reduction in the depth may be acceptable. It should be constructed of timber with a panelled stall riser and particular requirements would be needed should security shutters also to be proposed.
- 5.15 The proposed shop front design shows the main doorway re-located to the right hand side of the unit, flush to the front of the building line, rather than recessed as is the traditional style. The remainder of the shop front would seek to mimic the existing shopfront of low stall risers with tall glazing above. However, this part of the shopfront would in fact be a bi-fold door that would allow the frontage to be fully openable. The proposed material would be powder-coated aluminium with single glazed safety glass.
- 5.16 Given the change to the form and position of the entrance and bi-fold function of the shopfront, it would be a modern addition to a building that otherwise has a traditional style of shopfronts and would fail to maintain the external appearance and overall unity of the NDHA building. It is therefore, considered that, the proposed shop front would be out of keeping with the host building and would be detrimental to the character and appearance of the Conservation Area and the NDHA, resulting in less than substantial harm to these heritage assets.
- 5.17 Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. As such, it is considered that, great weight should be given to the harm to the Gerrards Cross Centenary Conservation Area, which is a designated heritage asset. Furthermore, it is also considered that, significant weight should be attributed to the harm to the non-designated heritage asset.

Consideration of Public Benefits

- 5.18 Paragraph 202 of the NPPF indicates that, if a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm, should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Paragraph 203 further indicates that, if a proposal would lead to less than substantial harm to the significance of a non-designated heritage asset, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 5.19 The agent/applicant has submitted information in support of the application. This sets out that the shape, style and design of the existing shopfront, with a recessed centrally

located doorway, would limit floor space and capacity, disrupting the view and flow to the bar and would make the premises unviable. It is the view of the applicant that, given the size of the shop unit, a flat shop front with side door is crucial for the business model to succeed.

- 5.20 The agent/applicant also contend that, the shopfront itself is unattractive, unworkable and has no historic or architectural merits. Whilst respecting the heritage comments to retain certain design aspects, it is the agent/applicants view that it is unfair to constrain the proposal to match the design of the other shop unit (which is also vacant) when there is a mixture of existing shop fronts in the immediate vicinity, mainly modern of varying designs and colours. In addition, the two shop units on the right side of the building do not have symmetry with the one shop unit on other side of the building.
- 5.21 The agent/applicant make the case that the opening of this vacant shop, which is one of a growing number of vacant units within Gerrards Cross, will help to re-invigorate the town centre, providing a meeting place and point of interest and using local providers, local produce and employing local people. Whilst the change of use of the unit, has already been granted planning permission, the agent/applicant states that the shape, style and design of the existing shop front is not beneficial for the proposed layout and design features of the business. They state that the loss of floor space and the positioning of the recessed central door creates a deficit of approximately 6-10 seats (dependent on free standing tables and high bench seats). They also state that it affects the natural flow into the premises leading up to the new bar location. The view into the bar is disrupted for passers-by, who might be encouraged to come in. As such the applicant states that the retention of the existing shopfront would make the premises unviable. They point to this as a possible reason that the shop has remained empty and potentially why the occupiers of the neighbouring shop, moved across the street.
- 5.22 Taking the above into account, it is acknowledged that bringing the unit back into use for a business of the nature proposed would be beneficial to the vitality and viability of the town centre and it is considered that this can be given significant weight. However, this needs to be balanced with the contribution the existing building makes to the character and appearance of the Gerrards Cross Centenary Conservation Area.
- 5.23 The Council's Heritage Team advise that whilst appreciating that regeneration of the town centre area may be required, this should not be at the cost of harm to heritage assets. It is recognised by research carried out on behalf of the government that heritage contributes significantly to the economy of an area, its attractiveness and local distinctiveness. The heritage sector is itself, an important source of economic prosperity and growth. It was recognised in 2019 by Historic England, that the Gross Added Value of heritage was £5.3 billion, including 33.8m tourists each year. Shop fronts are a major feature of retail offer and it is important to ensure that their design is sympathetic and appropriate to the traditional buildings and the character and appearance of conservation areas.
- 5.24 Given the above, the benefits in the form of bringing the unit back into use and contributing to a level of vitality and viability of Gerrards Cross town centre are acknowledged. Whilst these benefits have been attributed significant weight, it is not considered that this is sufficient to outweigh the great weight given to the resulting

harm to the conservation area and significant weight given to the harm to the non-designated heritage asset.

5.25 The proposal is therefore contrary to Local Plan Policies C1 and EP3 and Core Policy 8 of the Core Strategy.

Transport matters and parking

Core Strategy Policies:

CP7 (Accessibility and transport)

Local Plan Saved Policies:

TR4 (Provision for those with special needs)

TR5 (Access, highways work and traffic generation)

TR7 (Traffic generation)

TR10 (Heavy goods vehicles)

5.26 Given the scale and nature of the proposed works it is not considered there will be any significant impacts on highways and parking.

Amenity of existing and future residents

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

H11 (Alterations and extensions to dwellings)

5.27 Given the scale and nature of the proposed works It is not considered there will be any significant impacts to neighbouring amenities.

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 would not accord with the development plan policies.

6.3 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

- 6.4 However, Footnote 6 of para.11 of the NPPF does identify policies within the Framework that protect areas or assets of particular important, that if providing a clear reason for refusing a proposed development, prevent the tilted balance from being engaged.
- 6.5 Designated Heritage Assets, which include Conservation Areas, are included within the list of policies that protect areas or assets of particular importance, and which can provide a clear reason for refusing the proposed development.
- 6.6 In this instance, the proposal would result in less than substantial harm to the designated heritage asset (the conservation area) and 'less than substantial harm' to the non-designated heritage asset (Marsham Chambers building). Great weight is given to the harm identified in terms of the impact on the Conservation Area and substantial weight to the impact on the NDHA. Whilst public benefits of the proposal have been identified, it is considered that these are not sufficient to outweigh the harm identified to the heritage assets. As such, the Framework, as a material consideration, does provide a clear reason for refusing the development. Consequently, the presumption in favour of sustainable development, as envisaged by paragraph 11, does not apply in this case.

7.0 Working with the applicant / agent

- 7.1 In accordance with Paragraph 38 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.
- In this instance, amended plans were accepted that altered the design of the proposed changes to the shopfront. These did not however, address all the heritage concerns.

8.0 Recommendation: Refuse permission for the following reasons:-

1. The change to the form and position of the entrance and bi-fold function of the shop front would result in a modern addition to a building that otherwise has a traditional style of shopfronts and would fail to maintain the external appearance and overall unity of the building. It is therefore, considered that, the proposed shop front would be out of keeping with the host building and would be detrimental to the character and appearance of the Conservation Area and the existing building, which is a Non Designated Heritage Asset. The public benefits of the scheme do not outweigh the harm to these heritage assets. As such, the proposal is contrary to policy C1 of the South Bucks District Local Plan (adopted March 1999), Core Policy 8 of the South Bucks Core Strategy (adopted February 2011), and the provisions of the NPPF.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

No comments received, though application called in by the 3 Ward Councillors.

Parish/Town Council Comments

Gerrards Cross Town Council reply received 15 Mar 2022 – “No objection”

Consultation Responses

Buckinghamshire Council Heritage consult replies received 5 Apr, 20 May and 19 Aug 2022. In summary, the proposed changes fail to preserve or enhance the character or appearance of the Gerrards Cross Centenary Conservation Area or the building, which is a ‘Non-Designated Heritage Asset’ (NDHA), therefore not complying with heritage policy of the South Bucks Local Plan, South Bucks Core Strategy and heritage advice in the NPPF.

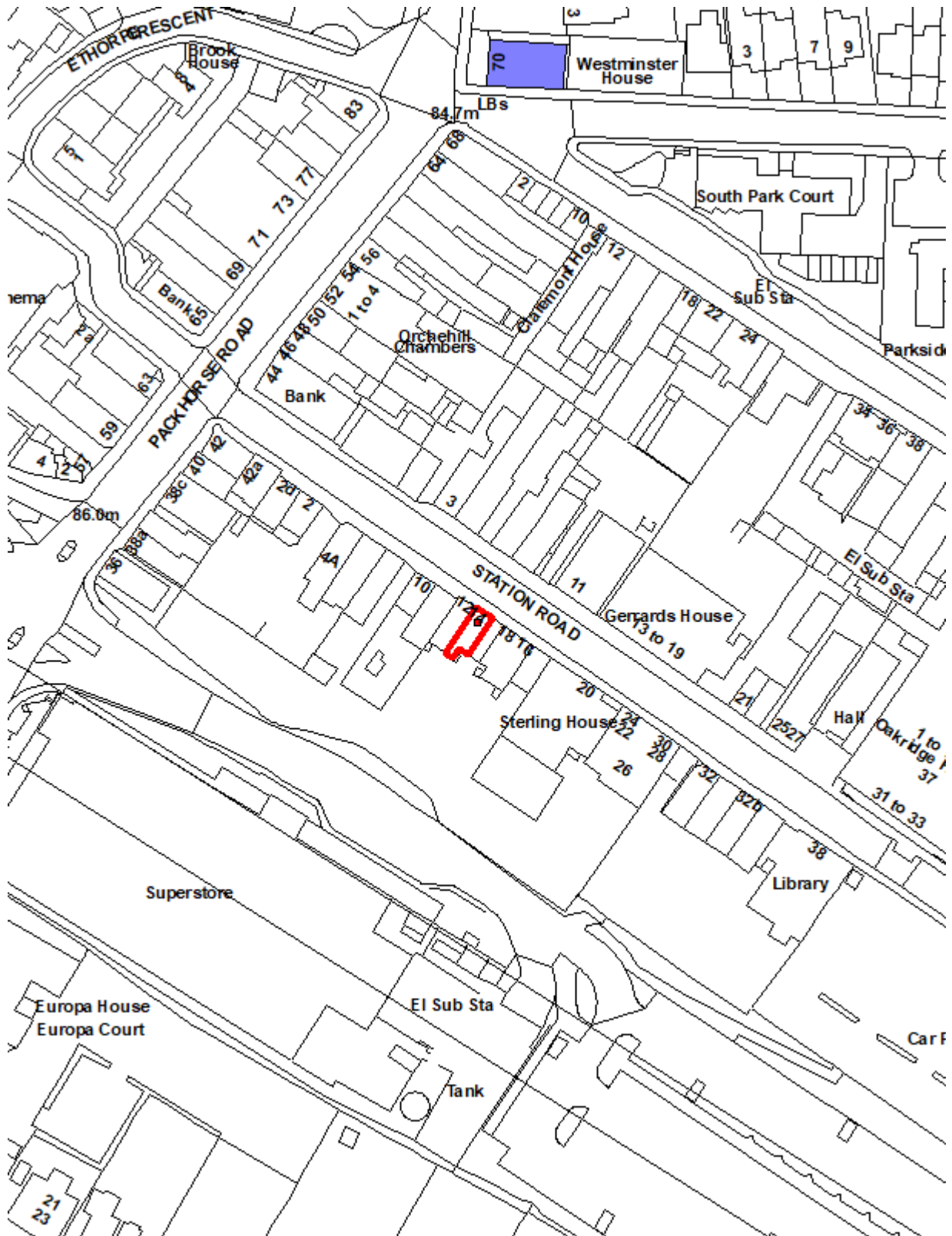
Representations

8 comments have been received supporting the proposal. They are summarised as follows:

- concerns over number of empty shop units in Gerrards Cross
- empty shop units are themselves an eye sore and are harmful to the character of the area
- Gerrards Cross needs businesses and investment
- concerns over application delays, over something so trivial and contradictory decisions on planning in heritage terms
- Does not consider the tidying up of a ‘rather dull and scruffy looking shop front’ as significant when considered against large corporation shops that change the landscape of the entire town centre.
- For uniqueness and charm, the village needs small individual shops from local entrepreneurial investment.
- loss of revenue in vacant properties for the Council, leads to loss of local amenities, investment and community identity
- Businesses, should be supported rather than hindered.
- This shop not opening would be a detrimental loss to the residents of Gerrards Cross
- Would bring character to road, without being overbearing
- use will create vibrancy and increased footfall to this area
- may encourage the other vacant units to be brought into use
- Offers a public benefit, employment, being a venue that offers a social environment/social well-being
- Would function best with a modern shopfront, without the limitation of a recessed central doorway
- Opening of doors will deliver fresh air and a ‘continental vibe’ to enhance customer experience and maximise use-ability of space.
- Re-siting of central door to right, would likely reduce congestion with entrance to flats.
- Shopfronts similar to this at former Café Rouge and Pizza Express
- If Number 12 is occupied in future and wants a modern flush shopfront, a door on right can be applied to achieve unity of appearance
- Original plans reference Eton RDC Plans 6575 shows shop front as open, when in use as garage – presumed to have flat sliding doors. A central door does not reflect original design
- Consider vibrancy to the shopping area is sufficient planning reasons to outweigh any harm

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APPENDIX B: Site Location Plan



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Report to South Area Planning Committee

Application Number:	PL/21/3957/FA
Proposal:	Demolition of the existing bridge span and replacement of new bridge span
Site location:	Railway Bridge Between Orchehill Avenue & Layters Way Gerrards Cross Buckinghamshire
Applicant:	Network Rail Infrastructure Ltd
Case Officer:	Richard Regan
Ward affected:	Gerrards Cross
Parish-Town Council:	Gerrards Cross Town Council
Valid date:	3 November 2021
Determination date:	29 September 2022
Recommendation:	Refuse Permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application proposes the demolition of the existing pedestrian bridge that extends across the railway line, and its replacement with a new bridge.
- 1.2 The proposals are considered unacceptable by virtue of the fact that they involve the total loss of an existing Non-Designated Heritage Asset which contributes positively to the character and appearance of the Conservation Area within which it is located. In addition to this, it is considered that the proposed replacement bridge is not of an appropriately sufficient design and appearance to preserve or enhance the character or appearance of the Conservation Area.
- 1.3 It is therefore considered that the proposal would result in 'substantial' harm to the designated heritage asset (the bridge) and 'less than substantial harm' to the designated heritage asset (the conservation area). It is not considered that the public benefits of the proposal outweigh this identified harm.
- 1.4 The application has not been accompanied by any form of Ecological survey. Given the scale of the proposed development, it is considered necessary that an Ecological Impact Assessment should be submitted in order to identify the schemes likely impacts on biodiversity, including on protected species such as bats, nesting birds, badger,

great crested newt and reptiles. Given the lack of such information, it is not possible to fully assess the impact of the proposal on biodiversity including the impact of the proposed development on any protected species.

1.5 The application has been referred for determination by the South Area Planning Committee following it being called in by Cllrs Wood and Chhokar, and Gerrards Cross Town Council.

1.6 Recommendation – Refusal.

2.0 Description of Proposed Development

2.1 The application proposes the demolition of the existing pedestrian bridge that extends across the railway line, and its replacement with a new bridge across.

2.2 The application is accompanied by:

a. Design and Access/Planning and Heritage statement

2.3 During the course of the application, further information/documents have been submitted in the form providing Network Rails standards for bridge works, and providing further justification for the current proposals.

3.0 Relevant Planning History

3.1 None Relevant

4.0 Summary of Representations

4.1 Objections have been received from 202 separate sources, whilst letters of support have been received from 2 separate sources. Gerrards Cross Town Council raise objections to the proposals including on the grounds of its impact on the Conservation Area and the loss of a Non-Designated Heritage Asset. A summary of consultation responses and representations made on the application can be viewed in Appendix A.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), 2021.
- Planning Practice Guidance
- National Design Guidance, October 2019
- South Bucks Core Strategy Development Plan Document - Adopted February 2011
- South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011;
- South Bucks District Local Plan Appendix 5 (Conservation Areas)
- South Bucks District Local Plan Appendix 6 (Parking standards)
- South Bucks District Council Residential Design Guide Supplementary Planning Document (SPD) - Adopted October 2008
- Chiltern and South Bucks Townscape Character Study 2017
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule
- Burnham Beeches Special Area of Conservation (SAC) Mitigation Strategy, March 2020

Principle and Location of Development

- Core Strategy Policies:
 - CP7 (Accessibility and transport)
 - CP8 (Built and historic environment)
- Local Plan Saved Policies:
 - EP3 (The use, design and layout of development)

- 5.1 The site is located within the developed area of Gerrards Cross where development of this nature can be acceptable provided that it does not adversely affect any interests of acknowledged importance, which include factors such as the character and appearance of the area, designated heritage assets, and the amenity of neighbouring properties.
- 5.2 Core Policy 7 of the District Core Strategy seeks amongst other things to encourage safe and attractive improvements to pedestrian and cyclist routes and facilities.
- 5.3 As such, a development of this nature could potentially be considered appropriate, but this is very much dependant on other important material planning considerations in this instance, such as the impact on the character area and appearance of the Gerrards Cross Centenary Conservation Area.

Historic environment (or Conservation Area or Listed Building Issues)

- Core Strategy Policies:
CP8 (Built and historic environment)
 - Local Plan Saved Policies:
C1 (Development within a Conservation Order)
- 5.4 The existing bridge is a three-steel truss girder structure, sitting on two tall brick piers, supporting a steel deck, stretching 52m across the cutting. The structure incorporates a 1.7m wide deck with 1.2m high vertical cast iron railing parapets. The applicants acknowledge that the bridge provides some interest in the engineering by incorporating a truss element underneath the bridge span.
 - 5.5 The railway line opened in 1906, and connectivity between the two sides of the railway cutting was a key consideration in the development of Gerrards Cross. This footbridge together with nearby road bridges ensured that the railway did not pose a significant obstacle to communication and connectivity, and these bridges still provide a significant element in allowing for a cohesive community. Together with this footbridge, a network of footpaths and roads ensures a high degree of permeability.
 - 5.6 The existing bridge provides the public with a vantage point of the railway, which is often used by the general public to watch trains passing by, this is helped by the open vertical parapets of the existing structure.
 - 5.7 The bridge is considered to be an important part of the history of Gerrards Cross and the lightweight structure, with vertical emphasis in its design, its small scale and the use of domestic scaled railings for the parapet all contribute to significance of this much-loved structure.
 - 5.8 The footbridge provides some aesthetic value within the Centenary Conservation area - as a consequence of its architectural qualities, and some historical value by virtue of its role as part of the key piece of infrastructure associated with the development of Gerrards Cross.
 - 5.9 It is proposed to demolish the existing bridge and replace it with a new larger bridge. The Gerrards Cross Centenary Conservation Area was designated in 2009 and the bridge was identified in that document as a structure of local interest, and is now considered to be a 'Non-designated Heritage Asset, located within the designated heritage asset, i.e. the conservation area. The Councils Heritage Officer advises that it is therefore regrettable that the bridge does not appear to have been properly maintained in recent years and that it has now been chosen to be replaced rather than

repair the bridge. Paragraph 196 of the NPPF advises that 'Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account by any decision'. It appears that repairs to the bridge were considered by Network Rail as an option, but this seems to have been ruled out due to the cost implications and the non-compliance of the existing structure if and when the line is electrified. However, electrification is apparently programmed in at some-time before 2050, and government priorities and technologies may change, so the extra headroom required for electrification may never be required, and the bridge could be needlessly lost for ever.

- 5.10 The Council's Heritage Officer considers that the demolition of the footbridge would be classed as 'substantial' harm to the designated heritage asset (the bridge) and 'less than substantial harm' to the designated heritage asset (the conservation area). As set out in para. 199 of the NPPF, great weight should be given to the conservation of a heritage asset.
- 5.11 In a case where demolition of a NDHA is justified/ approved, especially one which is located within and contributes to the character and appearance of the conservation area; there would be an expectation of high-quality design and construction for any replacement structure. However, in this case, the Councils Heritage Officer does not consider that the proposed bridge would fulfil this expectation. The proposed drawings of the replacement bridge show a heavy steel structure, which would have a strong horizontal emphasis, with diagonal bracing; infilled in the centre section over the track to give a completely solid parapet. Either side of brick piers the diagonals would be infilled with steel railings, though the emphasis in the design would be on the horizontal and diagonal structure rather than the small vertical railings. The Councils Heritage Officer does not consider that the proposed replacement bridge is 'of a high standard of design' which would 'make a positive contribution to the character of the surrounding area', as required by policy CP8 of the Councils Core Strategy, nor would it make a 'positive contribution to local character and distinctiveness', as required by para 197 c) of the NPPF).
- 5.12 In light of the comments from the Councils Heritage Officer, it is considered that the proposed development would fail to preserve or enhance the character of the Conservation Area, and would in fact detract from it due to its design and appearance. As such, it is considered that the proposal would lead to less than substantial harm to the significance of a designated heritage asset (Conservation Area). In accordance with para. 202 of the NPPF, this harm should be weighed against the public benefits of the proposal. In this regard, it is acknowledged that the proposal would enable the ability of the track to be utilised by electrified trains, and as such, would provide improved public transport and infrastructure. However, such a benefit has to be considered in the context of not knowing when electrification is actually going to take place, and that it may not be happen for another 20 years. Furthermore, even if sufficient evidence had been submitted which justified the removal of the existing bridge, it is considered that the applicant has failed to demonstrate why a replacement bridge which is of a more appropriate and high quality design, and which is sensitive to the location within a Conservation Area can't be provided. It is considered therefore that this lessens the weight that can be attributed to the benefit. On balance therefore, it is not considered that these benefits outweigh the harm that would be caused by the proposed development to the character and appearance of the Conservation Area.

- 5.13 In addition to this, the existing bridge is considered a Non-Designated Heritage Asset, and the proposal would therefore result in the total loss of a non-designated heritage asset. In accordance with paragraph 203 of the NPPF, in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The public benefits of the scheme have already been highlighted previously within this report, and it is considered that they are modest. On balance, it is not considered that they outweigh the 'substantial' harm that would be caused by the total loss of the existing bridge.
- 5.14 The proposal is therefore contrary to Policies C1 of the South Bucks District Local Plan, and policy CP8 of the South Bucks District Core Strategy, as well as the requirements of section 16 (Conserving and enhancing the historic environment) of the NPPF.

Accessibility

- Core Strategy Policies:
CP7 (Accessibility and transport)
 - Local Plan Saved Policies:
TR4 (Provision for those with special needs)
TR5 (Access, highways work and traffic generation)
- 5.15 It is acknowledged that there have been concerns raised by local residents that the design of the proposed new bridge would increase safety concerns for users of the bridge due to the high enclosed sides. Notwithstanding these concerns, it is noted that the Councils Strategic Access Officer raises no objections to the proposals from the point of view of the usability and safety of the proposed new bridge by members of the public.
- 5.16 Therefore, whilst these concerns are noted, given the comments received from the Councils own Strategic Access Officer, it is not considered that a refusal could reasonably be pursued on the grounds that the proposed new bridge would be unsafe for the public to use due to its design.

Amenity of existing and future residents

- Local Plan Saved Policies:
EP3 (The use, design and layout of development)
EP5 (Sunlight and daylight)
H11 (Alterations and extensions to dwellings)
- 5.17 Due to the distance retained to neighbouring properties, it is considered that the proposed replacement bridge would not adversely impact upon the amenities of any neighbouring property.

Environmental issues

- Core Strategy Policies:
CP13 (Environmental and resource management)
 - Local Plan Saved Policies:
EP3 (The use, design and layout of development)
EP16 (Hazardous substances)
C15 (Sites of geological importance)
- 5.18 The Councils Environmental Health Team raise no objections to the proposals from the point of view of contamination or noise pollution.

Ecology

- Core Strategy Policies:
CP9 (Natural environment)
CP13 (Environmental and resource management).
- 5.19 Planning permission can be refused if adequate information on protected species is not provided by an applicant, as it will be unable to assess the impacts on the species and thus meet the requirements of the National Planning Policy Framework (2021), ODPM Circular 06/2005 or the Conservation of Habitats and Species Regulations 2017.
- 5.20 Paragraph 174d of the NPPF requires that: “Planning policies and decisions should contribute to and enhance the natural and local environment by ... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressure”.
- 5.21 Paragraph 180d of the NPPF states that: “When determining planning applications, local planning authorities should apply the following principles...development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.”
- 5.22 The Council’s Ecologist advises that owing to the scale of this development and the likely impacts on biodiversity, including on protected species such as bats, nesting birds, badger, great crested newt and reptiles, they would recommend that an Ecological Impact Assessment (EclA) is submitted prior to determination of the application. No such information has been submitted, therefore it is considered that the application fails to adequately demonstrate that it would not adversely impact upon the biodiversity and ecology of the site and should therefore be refused on such grounds.
- 5.23 The proposal is therefore contrary to Policy CP9 of the South Bucks District Core Strategy and section 15 (Conserving and enhancing the natural environment) of the NPPF.

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 would not accord with the development plan policies.
- 6.3 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking means approving development proposals that accord with an up-to-date development plan without delay; or where there are no

relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

- 6.4 However, Footnote 6 of para.11 of the NPPF does identify policies within the Framework that protect areas or assets of particular important, that if providing a clear reason for refusing a proposed development, prevent the titled balance from being engaged.
- 6.5 Designated Heritage Assets, which include Conservation Areas, are included within the list of policies that protect areas or assets of particular importance, and which can provide a clear reason for refusing the proposed development.
- 6.6 In this instance, the proposal would result in 'substantial' harm to the designated heritage asset (the bridge) and 'less than substantial harm' to the designated heritage asset (the conservation area). Great weight is given to both sets of harm identified. By virtue of the lack of an appropriate ecology assessment, it is considered that there would potential harm to biodiversity, of which is attributed moderate weight. Whilst public benefits of the proposal have been identified, it is considered that they carry moderate weight, and as such do not outweigh the harm identified. As such, the Framework, as a material consideration, does provide a clear reason for refusing the development. Consequently, the presumption in favour of sustainable development, as envisaged by paragraph 11, does not apply in this case.

7.0 Working with the applicant / agent

- 7.1 In accordance with paragraph 38 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 was informed that the proposal did not accord with the development plan, and was offered the opportunity to address the concerns of the Council. Additional information was submitted by the application to support/justify the proposals, however it was considered that this additional information did not overcome the Councils concerns and the applicant was informed that the application would be recommended for refusal.

8.0 Recommendation: Refuse permission, for the following reasons:-

1. The existing bridge is a Non-Designated Heritage Asset that positively contributes to the Gerrards Cross Centenary Conservation Area. The proposal would result in the total loss of the existing bridge, and as such would result in substantial harm to this Non-Designated Heritage Asset. Given its positive contribution to the Conservation Area this loss would also adversely impact upon the character and appearance of the Conservation Area within which it lies. Furthermore, the proposed replacement bridge, by virtue of its design and appearance would fail to preserve or enhance the character and appearance of the Conservation Ares

within which it lies, and this would lead to less than substantial harm to character and appearance of the Conservation Area which is a designated heritage asset. The public benefits of the scheme do not outweigh the harm that would be caused to character and appearance of the Conservation Area or by the total loss of the non-designated heritage asset. As such, the proposal is contrary to policy C1 of the South Bucks District Local Plan (adopted March 1999), policy CP8 of the South Bucks Core Strategy (adopted February 2011), and the provisions of the NPPF.

2. Inadequate ecological information has been submitted with the application and it has not been possible to fully assess the impact of the proposal on biodiversity including the impact of the proposed development on any protected species. The application has therefore failed to demonstrate how wildlife will not be harmed, as well as failing to demonstrate how net gain for biodiversity will be obtained and is therefore contrary to Core Policy CP9 of the South Bucks Core Strategy (adopted February 2011) and the guidance set out in the NPPF.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

CLlr Wood received 24th November 2021:

I object strongly to this replacement Bridge, which is not in-keeping with the heritage and the look of the area, and detrimental to the users causing a personal safety issues for users; partially women. It must be rejected in it's current format. I would like for this plan to be Called In to the relevant Committee ASAP.

2nd comments received 21st July 2022:

I object strongly to this replacement Bridge, which is not in-keeping with the heritage and the look of the area, and detrimental to the users causing a personal safety issue for users; partially women. This new proposal still must be rejected in the current format. I would like for this plan to be "Called In" again to the relevant Council Committee ASAP.

CLlr Chhokar received 6th December 2021:

The Application raises issues and matters which would benefit from consideration at a Meeting of the Planning Committee.

Town Council Comments

Received 24th November 2021:

The Council objects to this application for the following reasons: - It is contrary to policy C1 in the local plan: development within a conservation area because the design fails to preserve or enhance the character. - It is contrary to policy 8 from the South Bucks core strategy as the closed-sided design will not achieve crime prevention and reduce fear of community safety. - It is not environmentally friendly to dispose of the old bridge and replace it with a new one. - Network Rail has neglected the current bridge and should have implemented a maintenance plan to ensure sustainability

The Town Council believes this application raises issues that would benefit from being discussed at the South Bucks Area Planning Committee Meeting.

2nd comments received 4th August 2022:

Network rail has totally neglected this iconic 1905 bridge for years. It is in a very sorry state of disrepair but nonetheless, NR engineers have pronounced it to be structurally sound. The current proposal contravenes Policy C 1 of the South Bucks local plan. The application fails to protect an asset that is specifically marked in the GX Centenary Conservation Area Character Appraisal and has a historic aesthetic and significant communal value to the GX community. It has been classified as a Non-Designated Heritage Asset. The current proposal also contravenes Policy 8 of the South Bucks Core Strategy which states: that the council will seek to create safe and sustainable environments by designing out opportunities for crime and antisocial behaviour. Solid, high parapet causes cover from view and loss of sightedness, providing an ideal environment for crime such as graffiti or more importantly, physical assault. This proposal will likely create a safety issue, where there currently is not one. It is the view of the Town Council that the bridge should either be repaired and refurbished or sensitively replaced after proper consultation. I note that NR appears to have taken no notice whatsoever of the objections and comments sent in by local residents. If it is found that the bridge

must be demolished, then the current application should still be rejected. As a community we need a solution which is:

- Preserve the communal values and people well being
- Provides a safe walking route
- Is sensitive to the conservation area Based on the above Gerrards Cross Town Council

Objects to the application and requests this application is withdrawn and put back again with a different proposal

Consultation Responses

Heritage Officer:

Received 12th Jan 2022:

I attended a number of meetings earlier this year, the final one being 15.7.21, to try and discover the justification for replacing this bridge and for the scale and design of its replacement. In the end I was unable to support their proposals, which I considered would cause harm to the designated and non-designated heritage assets and due to their tight construction timescales (they were originally planning to start work last August), I suggested they should submit the planning application without delay. Network Rail are proposing the demolition (and replacement with a large modern structure), of the footbridge in Gerrards X in the centre of the conservation area. The footbridge is identified in the Conservation Area Appraisal as of local interest, so is a non-designated heritage asset. When the application PREAPP was submitted I requested more information on its history and significance. However, I discovered some photo's showing it is far earlier than they state; it was under construction in 1903. I did advise Network Rail should talk to the local residents and Parish Council early on, but I don't think this happened until October. I would suggest that either; · a further meeting with Network Rail is set up, to try and investigate if the structure can be retained or replaced by a more sympathetic construction, or · they are advised that the application is going to be refused and ask if they would like to withdraw it. If the application is not to be withdrawn I will write a detailed consultation response in January, supporting refusal of the application.

2nd comments received 8th September 2022:

Summary
That the application does comply with the relevant heritage policy and guidance and therefore should be refused.
Heritage Assets
Located in the centre of Gerrards Cross Centenary Conservation area, this building was assessed as a 'Positive Unlisted Building' when the conservation area was designated in 2009; all such buildings are now considered to be Non-designated Heritage Assets (NDHA). The conservation area document was the subject of public consultation in 2009 and the building has been reassessed again against the agreed criteria as part of the current Local Heritage Listing Project and is included in Buckinghamshire Councils list of Non-designated Heritage Assets.
Description of proposal
It is proposed to demolish the existing footbridge and replace it with a heavy steel structure with a strong horizontal emphasis, which would be considerably wider and taller and finished in painted steel.
Discussion
Description of the site and surroundings, and significance;

In 1899 the Great Western and the Great Central railways formed a joint committee to build a new main line into London. The arrival of the railway was considered to be a catalyst for the creation of the town of Gerrards Cross; it rapidly grew into a 'Metroland' commuter town, a purpose built 'garden suburb'. Gerrards Cross railway station was constructed on land belonging to the Orchehill House Estate, a residential property with extensive grounds, formally known as Deedsworth Farm which dated from the 14th century, though the house was rebuilt by the 19th Century when a park, formal gardens and ponds were laid out. The arrival of the railway cut the Orchehill Estate into two and also severed one of the carriage ways to the property, which roughly followed the line of Bulstrode Way, Layters Way and the alignment of the railway footbridge (the subject of this application) also followed this former carriage way. The applicant's heritage statement gives a date of 1905 for the bridge, but the bridge is clearly visible nearing completion in a photograph showing the construction of the line in 1903.

The existing bridge is a three-steel truss girder structure, sitting on two tall brick piers, supporting a steel deck, stretching 52m across the cutting. The structure incorporates a 1.7m wide deck with 1.2m high vertical cast iron railing parapets. The applicants acknowledge that the bridge provides some interest in the engineering by incorporating a truss element underneath the bridge span.

The line opened in 1906, by which time much of the Orchehill Estate had been sold to developers for residential development most of which was completed by 1914. Connectivity between the two sides of the railway cutting was a key consideration in the development of Gerrards Cross. This footbridge together with nearby road bridges ensured that the railway did not pose a significant obstacle to communication and connectivity, these bridges still provide a significant element in allowing for a cohesive community. Together with this footbridge, a network of footpaths and roads ensures a high degree of permeability.

The bridge provides the public with a vantage point of the railway, which is often used by the general public to watch trains passing by, this is helped by the open vertical parapets of the existing structure. There are several views identified in the conservation area appraisal.

Apart from the approaching footpaths, the surrounding area on either side of the bridge is private gardens. There are some public views of the footbridge; it is visible from the station and from the station car parks; of which there are two separate station car parks, one at station level and one at the top of the cutting. The western ends of both car parks are approximately 50m from the footbridge. The next public vantage point is from overbridge 34 is approximately 300m to the west of the footbridge and carries Bull Lane over the lines.

The bridge is considered to be an important part of the history of Gerrards Cross and the lightweight structure, with vertical emphasis in its design, its small scale and the use of domestic scaled railings for the parapet all contribute to significance of this much-loved structure.

I concur with the applicant's heritage statement which concludes that; having regard to the above, the footbridge can be said to provide some aesthetic value within the Centenary Conservation area - as a consequence of its architectural qualities, and some historical value by virtue of its role as part of the key piece of infrastructure associated with the development of Gerrards Cross.

The proposed demolition of the bridge

It is proposed to demolish the existing bridge and replace it with a new larger bridge. The Gerrards Cross Centenary Conservation Area was designated in 2009 and the bridge was identified in that document as a structure of local interest, and is now considered to be a 'Non-designated Heritage Asset, located within the designated heritage asset, ie the conservation area. It is therefore regrettable that the bridge does not appear to have been properly

maintained in recent years and they have now chosen to replace rather than repair the bridge. Paragraph 196 of the NPPF advises that 'Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account by any decision'. Repairs to the bridge were considered by Network Rail as an option, but this seems to have been ruled out due to the cost implications and the non-compliance of the existing structure if and when the line is electrified. But electrification is apparently programmed in at some-time before 2050, and government priorities and technologies may change, so the extra headroom required for electrification may never be required, and the bridge could be needlessly lost for ever.

It is considered that the demolition of the footbridge would be classed as 'substantial' harm to the designated heritage asset (the bridge) and 'less than substantial harm' to the designated heritage asset (the conservation area).

NDHA status gives the building protection from demolition under the NPPF when a planning application is required for the proposed works, so Chapter 16; 'Conserving and enhancing the historic environment' applies, and in particular paragraphs 194-197, 199, 202 and 203.

A recent appeal locally was dismissed by the Planning Inspectorate for a similar proposal; for the demolition of Top Cottage Hollybush Hill, Stoke Poges SL2 4PX, planning ref; PL/20/1659/FA, this is an inter-war Arts and Crafts cottage, also identified as a NDHA. The inspector concluded that; 'Whilst I acknowledge that the development would replace a property in need of some degree of restoration or renovation, as well as improve its sustainability credentials, such benefits are only minor in this instance, and would not outweigh the harm to Top Cottage and Little Chesters identified above. And that; 'The proposed demolition would result in the complete loss of a non-designated heritage asset, so this proposal is considered to result in 'Substantial Harm' to the 'Significance' of the Non-Designated Heritage Asset'

The Heritage Team assess all potential NDHA's using the Historic England criteria set out within 'Historic England 2021 Local Heritage Listing: Identifying and Conserving Local Heritage. Historic England Advice Note 7 (2nd ed)' (see link: <https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/>). This ensures consistency of approach and adherence with national best practice. This Council has a Local Heritage Listing Project Officer who is coordinating the Buckinghamshire survey and adding many more buildings to the Councils list of NDHA.

[Click here to find out more about the Local Heritage List Project](#)

The proposed replacement bridge.

In a case where demolition of a NDHA is justified/ approved, especially one which is located within and contributes to the character and appearance of the conservation area; there would be an expectation of high-quality design and construction for any replacement structure.

However, in this case it is not considered that the proposed bridge would fulfil this expectation. The proposed drawings are not easy to understand, but appear to be proposing a heavy steel structure, which would have a strong horizontal emphasis, with diagonal bracing; infilled in the centre section over the track to give a completely solid parapet. Either side of brick piers the diagonals would be infilled with steel railings, though the emphasis in the design would be on the horizontal and diagonal structure rather than the small vertical railings. It is not considered that the proposed replacement dwelling is 'of a high standard of design' which would 'make a positive contribution to the character of the surrounding area' (Core Strategy) or would make a 'positive contribution to local character and distinctiveness' (para 197 c) of the NPPF).

Heritage Policy Assessment

The Planning (Listed Building and Conservation Areas) Act 1990

The proposals are not considered to preserve the architectural and historic interest of this NDHA.

NPPF

Paragraphs 194 – 197, 199, 200, 202 and 203 apply.

South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011: Saved Policies C1, C6

The development would cause harm to a locally important heritage feature and therefore fails to comply with the local policy objectives and 'Locally important heritage features and their settings also make an important contribution to the creation of distinctive and sustainable places and will also be protected, conserved and enhanced where appropriate' and 'All new development must be of a high standard of design and make a positive contribution to the character of the surrounding area'.

Historic England Guidance

Managing Significance in Decision-Taking in the Historic Environment- 2015

Making Changes to Heritage Assets- 2016

Statement of Heritage Significance: Analysing Significance in Heritage Assets' HEAN 12

Conclusion

The proposed development raises a number of heritage and design concerns; first and foremost, the total loss of an NDHA and the impact of that demolition on the character and appearance of and significance of the designated heritage asset; the conservation area. The harm to the NDHA is also compounded by the proposed design of the replacement bridge which offers little tangible design response to lost bridge, or the prevailing characteristics of the area. The applicant argues that the footbridge is in a poor state of repair, so must be replaced, but this is because it has not been maintained in recent years; paragraph 196 of the NPPF argues that therefore the deteriorated state of the heritage asset should not be considered. They also argue it is not worth repairing the bridge because it would need to be replaced when the line is electrified, but there is no indication of when this will happen and changes in technology and policies may result in the demolition being unnecessary. National and local policy clearly states the importance of such assets and that locally important heritage features should be protected and conserved. As outlined in the NPPF, in the case of harm or loss, a balanced planning judgement concerning significance and level of harm should take place. Given the proposal would result in total loss of this footbridge, it is considered that the scale of harm would be 'substantial' and given the notable local significance identified above, it is hard to see that the planning balance could be applied in favour of demolition.

It is considered that insufficient justification or public benefit to balance the harm have been identified as required in the NPPF and the proposed demolition would be contrary to the 1990 Act.

I would support refusal of this application. For the reasons given above it is felt that in heritage terms:

That the application does not comply with the relevant heritage policy and guidance and therefore should be refused.

Ecology Officer:

Summary

Objection

No ecological survey report has been submitted in support of this application. Owing to the scale of this development and the likely impacts on biodiversity, including on protected species such as bats, nesting birds, badger, great crested newt and reptiles, I would recommend that an Ecological Impact Assessment (EclA) is submitted prior to determination of the application. A Biodiversity Net Gain (BNG) metric to ensure that this development will result in a net biodiversity gain in line with NPPF should be also provided (in excel format) prior to determination of the application.

Discussion

From viewing related applications at this site it does not appear that an ecological survey report has been submitted as part of a previous application. The current proposal involves the demolition of the existing footbridge and the construction of a new footbridge. 2 of 4

Ecological Impact Assessment (EclA)

I would recommend that an Ecological Impact Assessment is submitted prior to determination of the application in order to identify, quantify and evaluate potential effects of development-related or other proposed actions on habitats, species and ecosystems. The EclA must be completed by a suitably qualified ecologist and reported in accordance with CIEEM Guidelines for Ecological Report Writing (CIEEM, 2017), the British Standard BS42020:2013 Biodiversity — Code of practice for planning and development, and the Guidelines for Ecological Impact Assessment in the UK and Ireland (CIEEM, 2018). All ecological information should be prepared and presented so that it is fit to inform the decision-making process. The EclA report should clearly set out all the ecological information necessary for a robust decision to be made. Key aspects include a description of the following:

- ecological baseline and trends if the project were not to go ahead, including the survey data used to inform the baseline
- criteria used to evaluate ecological features
- criteria used to assess the significance of effects arising from the impacts of the project
- justification of methods used
- the identification of likely impacts (positive and negative) on ecological features together with an explanation of the significance of the overall effects for each important ecological feature
- mitigation, compensation and enhancement measures
- legal and policy consequences
- identification of any limitations to the assessment, or the surveys which underpin it, and an explanation of the implications
- a presentation of any analytical techniques used and the analysis itself.

The EclA should set out the ecological monitoring required to audit predicted impacts and effects against the actual situation. This will enable any necessary remedial action to be taken, including adjustment to the activity generating the impacts and adjustment to the mitigation or compensation measures. The EclA should identify where monitoring is required for mitigation, compensation and enhancement measures. It should set out the methods to be used, the criteria for determining success/failure, appropriate timing, mechanisms for implementation, frequency and duration of monitoring, and frequency of reporting. The assessment needs to include the most up-to-date biodiversity data, sought from the Buckinghamshire and Milton Keynes Environmental Records Centre (BMERC), in accordance with the Guidelines for Accessing, Using and Sharing Biodiversity Data (CIEEM, 2020). The EclA should provide enough detail and clarity to enable both the applicant

and the decision-maker to establish whether the report's proposals and/or recommendations provide a practicable, deliverable and acceptable means of incorporating biodiversity into the proposed development; and are proportionate and justified. The Ecological Impact Assessment Checklist (CIEEM, 2019) provides an overview of the EclA criteria to ensure decisions are based on adequate information. Where full design details are not yet available and/or where uncertainty remains (e.g. outline application), the report should identify and justify when further survey/investigation is required. In such circumstances, the report should identify for the decision-maker where further detailed information on proposed avoidance, mitigation, compensation or enhancement measures are to be 3 of 4 secured through planning conditions or obligations and provided once planning permission has been granted. The EclA must provide a clear summary of losses and gains for biodiversity, and a justified conclusion of an overall net gain for biodiversity. These measures will need to be set out in detail in the report and be stated definitively so they can be conditioned if the application is approved.

Biodiversity Net Gain

Biodiversity Net Gain (BNG) is an approach to development that leaves biodiversity in a better state than before. BNG protects existing habitats and ensures lost or degraded habitats are compensated for by restoring or creating habitats that are of greater value. I would recommend that a BNG metric is submitted prior to determination of the application.

The development needs to demonstrate measurable net gains for biodiversity and the following evidence submitted:

- a) Biodiversity Impact Plan. Produced using the information from the Preliminary Ecological Appraisal or Ecological Impact Assessment. The plan should clearly show the areas covered by each of the existing habitat types and the area in hectares of each habitat type (or for each habitat parcel, as some habitats may be scattered throughout the site).
- b) Proposed Habitats Plan. This can be taken from the site layout plan, illustrative masterplan, green infrastructure plan or landscape plans (if they are available). The plan should clearly show what existing habitat types are being retained and enhanced, and what new habitat types will be created; it should be colour coded so that each habitat type is easily identifiable and the area of each habitat type should be quantified in hectares. Other proposed biodiversity enhancements should also be shown on this plan.
- c) A copy of the completed Biodiversity Metric. The information in the metric should be directly related to the Biodiversity Impact Plan and the Proposed Habitats Plan. A copy of the metric (i.e. the completed spreadsheet) or the full calculations included in the metric should be submitted and not just a summary. Detailed justifications for the choice of habitat types, distinctiveness and condition should be added to the comments column or provided separately in a report.
- d) Biodiversity Net Gain Good Practice Principles for Development (CIEEM, CIRIA, IEMA, 2016). Full justification of how the principles have been applied as part of the net gain assessment.

Legislation, Policy and Guidance

Biodiversity Net Gain

Paragraph 118a of the National Planning Policy Framework (NPPF) states: "Planning policies and decisions should: a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside"

Paragraph 170d of the NPPF requires that: “Planning policies and decisions should contribute to and enhance the natural and local environment by ... minimising impacts on and providing net gains for 4 of 4 biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressure”. Paragraph 175d of the NPPF states that: “When determining planning applications, local planning authorities should apply the following principles...development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.”

Reasonable Likelihood of Protected Species

Permission can be refused if adequate information on protected species is not provided by an applicant, as it will be unable to assess the impacts on the species and thus meet the requirements of the National Planning Policy Framework (2018), ODPM Circular 06/2005 or the Conservation of Habitats and Species Regulations 2017. The Council has the power to request information under Article 4 of the Town and Country (Planning Applications) Regulations 1988 (SI1988.1812) (S3) which covers general information for full applications. CLG 2007 ‘The validation of planning applications’ states that applications should not be registered if there is a requirement for an assessment of the impacts of a development on biodiversity interests. Section 99 of ODPM Circular 06/2005 states: “It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and / or planning obligations, before permission is granted.”

Strategic Access Officer (received 23rd November 2021):

Thank you for your letter of 10th November 2021.

The context of Footpath GEC/7/1 within the surrounding community is shown in Plan 1.

Landscape, visual impact and historic environment will be for others to comment upon. I will concentrate on the accessibility of the proposals.

My measurement of the existing, usable bridge width from the 1:50 cross section (inset of Drawing No. F2636-SCL-DRG-ECV-000001) is 1,869mm, though the planning statement (p.11) mentions 1.7m. Presumably the former is correct.

Either way, the design widens the overall usable width to 2,000mm, which is a benefit of the application as it allows walkers to pass more easily, particularly, for example, those with double push chairs or mobility scooters.

The tie-in between bridge and ground levels are flush and don't introduce new steps that might preclude disabled access or introduce trip hazards.

The permanent footpath alignment remains the same as the existing, therefore no s257 TCPA 1990 diversion is required. However, a temporary closure would clearly be needed during construction and an informative is recommended.

There is concern expressed on the portal regarding children being unable to view trains. This is an amenity matter which I can't comment upon, except to note the design includes open parapets to each side making this possible.

There is also concern expressed about maintaining visibility of walkers. This is important to meet safe by design principles where the public realm is overlooked and is a function of parapet height and parapet design.

The parapet height is proposed to be raised from the existing 1,308mm to 1,500mm, an increase of 192mm. This would seem to be a relatively modest but may, in any case, be needed to meet Network Rail safety standards, it's not clear.

Turning to the potential increases in screening, I've enclosed part of the cross-section in Extract 1. There is a retention (blue arrow) of the open parapets to each side and partial screening (green arrow) or solid parapets to the middle, directly above the railway tracks. The Planning Statement (p.11 & 12) mentions the solid parapets are to meet Network Rail safety standards but doesn't explain why.

Extract 1

Although many walkers will be over 1.5m in height, so would be partly visible, the solid central parapet design does nevertheless reduce the visibility of walkers being overlooked in the central section compared to the existing situation. The Planning statement (p.11) suggests the increase in height provides a 'safer environment when using the footbridge' but doesn't explain why.

Clearly, there may be overriding railway safety regulations which require a design which screens the middle of the bridge and increases the parapet height, but these need to be explained and balanced against the reduction in walkers being overlooked.

Further information is requested.

Informative: This permission shall not be deemed to confer any right to obstruct the public footpath crossing the site which shall remain open and available unless temporarily closed by Traffic Regulation Order under Section 14 Road Traffic Regulation Act 1984

Second comments received 15th July 2022:

My original comments raised no objection, but in light the reduced visibility within the public realm due to the increased height and solid parapets compared to the existing situation, further information was sought asking why the solid parapets were needed. The reason given was to conform to Network Rail safety standards. The additional summary quotes the relevant safety standards for parapet design and heights.

Environmental Health (contamination):

The footbridge spans a cutting; it therefore unlikely that significant made ground will be present. There may be some made ground beneath the bridge supports, the made ground soils could present a risk to construction workers.

Any unexpected contamination encountered during the excavation of the foundations shall be reported to the LPA. Based on this, the following condition is recommended on this and any subsequent applications for the site. The application requires the following condition(s):

1. Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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.

The applicant should be aware that where a site is affected by contamination issues, responsibility for securing a safe development rests with the developer and/or landowner.

2nd comments received 31st August 2022:

I have no further comments to make with regards to land contamination. Please refer to my previous comments dated 15th November 2021 (Our ref. 21/02569/SECONT).

Environmental Health (Noise/odour):

The application and associated documents in respect of this case have been reviewed and a site visit was carried out. As a result, Environmental Health do not raise any objections.

Representations

Amenity Societies/Residents Associations

The Victorian Society:

This bridge is of historical significance and makes a positive contribution to the Conservation Area. Indeed, the strength of this contribution and the value placed on the bridge by local residents is evident from the number of objections which have been lodged against the application.

The bridge is not statutorily listed but it should be regarded as a non-designated heritage asset.

This proposal would cause the complete loss of significance of the asset, a balanced judgement should favour the retention and repair of the existing building and its significance.

Railway Heritage Trust:

The Railway Heritage Trust's view is that to repair the bridge under traffic may well cost more than reconstruction, and that the money spent would be effectively wasted if and when the line is electrified. Network Rail can only get only from two sources, those who pay to use the railway and the government. Accordingly, it is hard to see how the extra costs of repairing, then reconstructing, the bridge would be anything but a draw on the taxpayer.

The Railway Heritage Trust notes that many of the objections are about the creation of a 'canyon' by the new bridge, and that people would no longer be able to see the trains from it. We have come

across a similar problem before, and have worked with Network Rail to use glazed parapets inside the main structure, thus allowing visibility whilst conforming with modern standards.

We would suggest that, rather than focussing on trying to recreate the feel of the existing bridge, as Network Rail has been doing in its discussions with your Council, it would be better to accept that reconstruction is inevitable, and postponing it by repairing the bridge now purely creates cost for the taxpayer. We see a better solution is to create a new light, glazed, parapet within the new structure, at a minimum over the operational track span.

Other Representations

3 comments have been received supporting and simply commenting on the proposal:

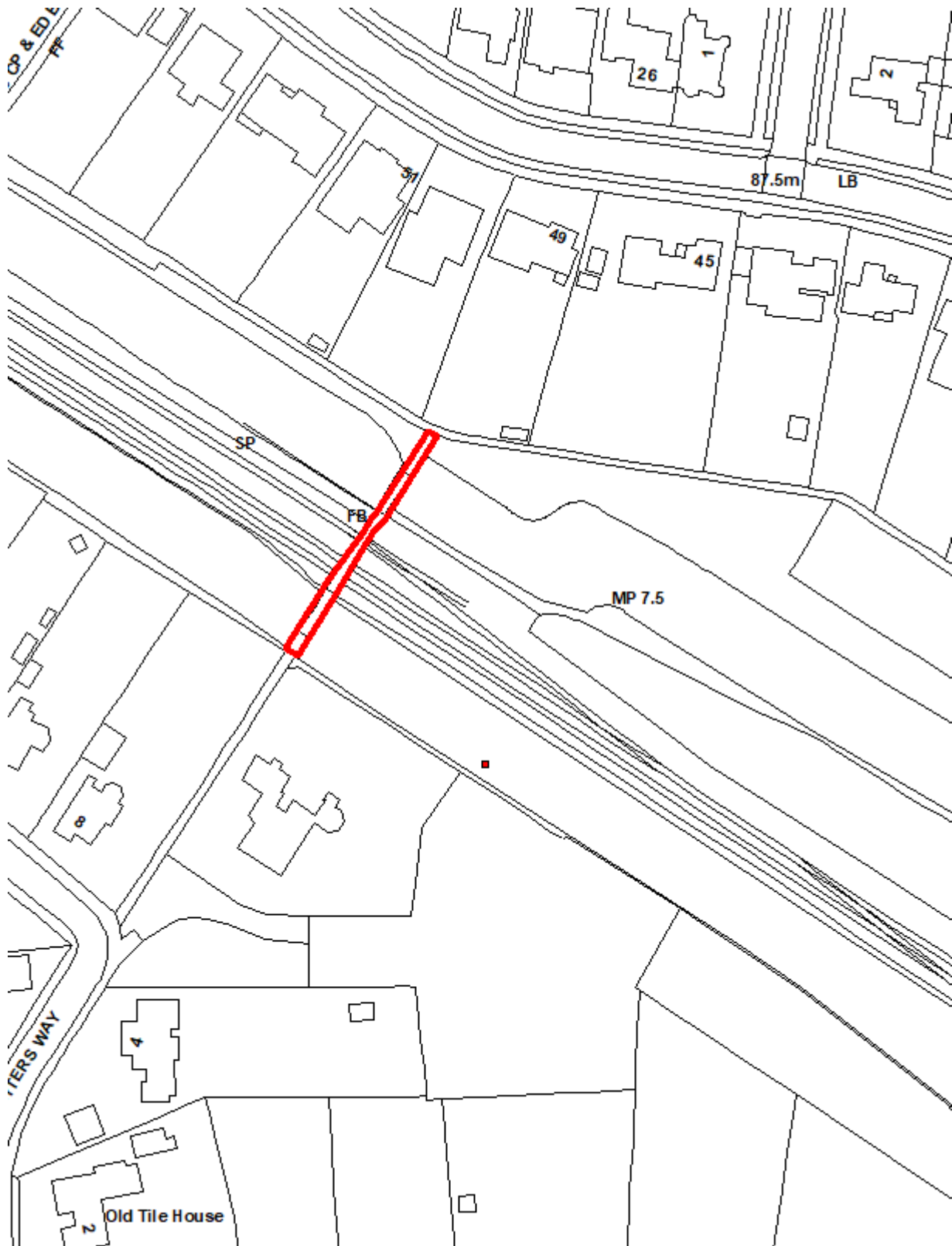
- New bridge should recognise the history of the existing bridge;
- Alternative design could be used;
- Design is as good as we can expect;
- Could introduce certain features to allow some form of viewing; allow artwork to be displayed;
- Understand need for solid construction;
- Seems reasonable

202 comments have been received objecting to the proposal:

- Out of keeping;
- Safety issues for pedestrians due to design of replacement bridge;
- Unable to watch trains;
- Further investigation into repairing the existing bridge should be undertaken;
- Adverse impact on Conservation Area;
- Will attract graffiti;
- Existing bridge attractive;
- Existing bridge a historical feature/historical significance;
- Poor design;
- Existing bridge should be restored and maintained;
- No temporary bridge plan for when bridge replaced;
- Network Rail have not maintained the bridge;
- Twice the width – cyclists will no longer dismount when using bridge;
- Attract rough sleepers;
- Significant environmental impact when compare to repairing existing bridge

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APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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