



South Buckinghamshire Area Planning Committee agenda

Date: Tuesday 1 September 2020

Time: 2.30 pm

Venue: Via Microsoft Teams

Membership:

T Egleton (Chairman), D Anthony, M Bradford, S Chhokar, B Gibbs, P Griffin, G Hollis, M Lewis, Dr W Matthews and R Reed

Webcasting notice

Please note: this meeting may be filmed for live or subsequent broadcast via the council's website. At the start of the meeting the chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the council is a data controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the council's published policy.

Therefore by entering the meeting room, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If members of the public do not wish to have their image captured they should ask the committee clerk, who will advise where to sit.

If you have any queries regarding this, please contact the Legal & Democratic Service Director at monitoringofficer@buckinghamshire.gov.uk.

Public Speaking

If you have any queries concerning public speaking at Planning Committee meetings, including registering your intention to speak, please speak to a member of the Planning team – planning.csb@buckinghamshire.gov.uk 01494 732950. Please refer to the Guide to Public Speaking at Planning Committee [here](#).

| Agenda Item | Page No |
|--|----------------|
| 1 Apologies for Absence | |
| 2 Declarations of Interest | |
| 3 Minutes | 3 - 6 |
| To note the minutes of the meeting held on 4 August 2020. | |
| Applications to be Determined | |
| 4 PL/19/4159/FA - The Lea, Western Avenue, Denham, Buckinghamshire, UB9 4NA | 7 - 96 |
| 5 Date and Time of the Next Meeting | |
| Tuesday 29 September 2020 at 2.30 p.m. | |

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

For further information please contact: Tom Fowler on 01494 732009, email democracy@buckinghamshire.gov.uk.



Agenda Item 3

Buckinghamshire Council

**South Buckinghamshire Area
Planning Committee**

Minutes

MINUTES OF THE MEETING OF THE SOUTH BUCKINGHAMSHIRE AREA PLANNING COMMITTEE HELD ON TUESDAY 4 AUGUST 2020 VIA MICROSOFT TEAMS, COMMENCING AT 4.15 PM AND CONCLUDING AT 6.03 PM

MEMBERS PRESENT

T Egleton (Chairman), D Anthony, S Chhokar, P Griffin, G Hollis, M Lewis, Dr W Matthews and R Reed

Agenda Item

1 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Bradford and Councillor Gibbs.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 MINUTES

The minutes of the meeting held on 7 July 2020 were agreed as an accurate record.

**4 PL/19/2305/FA - LAND AT HUNTERCOMBE PARK (FORMER PFIZER PHARMACEUTICALS),
HUNTERCOMBE LANE SOUTH, BURNHAM, BUCKINGHAMSHIRE, SL6 0PH**

Proposal: Demolition of the existing office buildings (Use Class B1) and erection of 3 nos three storey and 2 nos four storey buildings to provide 165 residential flats (Use Class C3) (comprising 45 x 1 bedroom units, 113 x 2-bedroom units and 7 x 3-bedroom units), incorporating car parking, open space, landscaping, drainage and infrastructure works.

Notes:

- The Case Officer updated the Committee on developments since agenda publication. Consultation responses were received from Historic England who confirmed they did not wish to comment. Representation received from The Gardens Trust raised no objection, subject to additional landscape screening being secured along the Western boundary of the site. Following this, the applicant committed to providing additional landscaping in the form of trees and a 4 metre high hedge. The Case Officer confirmed to the Committee that the statutory consultation period for this additional consultation carried out ends on 21st August 2020.
- One additional objection had been received, but did not raise any new material planning

considerations. Reference was made to the impact of the development on property values but this is not a material planning consideration.

- Two further conditions were proposed by the Case Officer. Firstly, that a secure by design accreditation be obtained and complied with. Secondly, a condition stating that there shall be no further mechanical plant and equipment to be installed on any external façade and/or roof of the development without prior approval of the planning authority. Members proposed that the landscaping along the boundary with Wyeth Close be enhanced to provide screening between Wyeth Close properties and the proposed development, and that the landscaping condition be amended accordingly to secure this additional planting.
- Part 2 of the recommendation of the report on page 6 was amended to “That authority be delegated to the Service Director for Planning and Environment to refuse planning permission if a section S106 agreement cannot be agreed and completed, for the detailed reasons to be determined by the Service Director for Planning and Environment.....”as he considers appropriate.”
- Speaking as a supporter: Mr Mark Reynolds
- Speaking as the agent: Mr Kieran Wheeler.
- Members expressed their thanks to Gary Murphy for his work and detailed report.

It was proposed by Councillor W Matthews, seconded by Councillor M Lewis and RESOLVED:

That planning permission be granted subject to the conditions set out in the report with the additional conditions, amended landscaping condition and amended recommendation noted above.

5

PL/19/4036/FA - 121 HIGH STREET, BURNHAM, BUCKINGHAMSHIRE, SL1 7JZ

Proposal: Internal and external restoration to house and outbuilding to create two dwellings; replacement of modern windows and doors with traditionally designed elements. Alterations to curtilage listed outbuilding including rear storey extension, addition of front and rear dormers and internal alterations. Change of use to dwelling (Use Class C3) only.

Notes:

- The Case Officer clarified that the first floor flat exists with retail on the ground floor. The proposed scheme seeks a change of use of the existing retail unit to a residential flat. It was clarified that Condition 12 relates to the proposed new dwelling from the outbuilding conversion.
- Paragraph 5.27 of the report was amended to state preserve rather than conserve.
- It was noted that Conditions 2 – 7 were amended to clarify the existing buildings on site. Condition 3 was amended that the materials were to match the existing textured finish of the existing cottage. Condition 4 was amended to ensure all windows and doors were uniform in appearance as well as being finished in matching materials. Condition 5 amended a typing error to replace “fixed” with “fitted”. Condition 6 was amended to remove reference to being fixed shut, only obscurely glazed.
- A condition was added that the proposed dormer in the south elevation of the proposed dwelling be fixed shut.
- A further condition was added to ensure the retention of the historic ground floor window.
- Speaking on behalf of the objectors: Mr Paul Riley and Mr Uday Patel
- Speaking on behalf of the agent: Mr Richard Dollamore

It was proposed by Councillor W Matthews, seconded by Councillor M Lewis and RESOLVED:

That planning permission be granted subject to the conditions set out in the report with the additional conditions and amended conditions noted above.

6 PL/19/4037/HB - 121 HIGH STREET, BURNHAM, BUCKINGHAMSHIRE, SL1 7JZ

Proposal: Part two storey/part single storey rear extension, two storey front extension with part garage conversion, first floor side extension over existing garage, additional windows to side elevation, changes to existing windows and doors, replacement roof, incorporating rear dormer, two front dormers and three side rooflights.

Notes:

- The Case Officer advised that condition 7 was amended to reference the drawing showing the property's door frames.
- A condition was added for the retention of the ground floor window within the flank elevation of the cottage fronting Gore Road.
- Paragraph 6.2 and 6.5 of the Officer's report were amended to remove any reference to planning permission, and replace with listed building consent.
- Speaking on behalf of the objectors: Mr Paul Riley and Mr Uday Patel

It was proposed by Councillor W Matthews, seconded by Councillor M Lewis and RESOLVED:

That consent be granted subject to the conditions set out in the report with the amended condition and additional condition noted above.

This page is intentionally left blank



Report to South Buckinghamshire Area Planning Committee

Application Number: PL/19/4159/FA

Proposal: Erection of crematorium, dining hall and widening of access road with associated landscape and biodiversity enhancements.

Site Location: The Lea, Western Avenue, Denham, Buckinghamshire, UB9 4NA

Applicant: Anoopam Mission

Case Officer: Laura Peplow

Ward affected: Denham

Parish Town Council: Denham Parish Council

Valid date: 2 December 2019

Determination date: 6 March 2020

Recommendation: It is recommended that the Committee delegate the application to the Director of Planning and Environment to:

GRANT planning permission subject to the conditions set out in this report and any others which he considers appropriate and to:

- a) The satisfactory completion of a Section 106 Agreement to secure the requirements as set out in this report.

- b) There being no new substantive, material planning matters being raised following statutory publicity for the development proposed being a potential 'Departure from the Development Plan'

- c) Resolving that the application be forwarded to the Secretary of State in accordance with the provision of the Town and Country Planning (Consultation) (England) Direction 2009.

Or

REFUSE planning permission if a satisfactory S106 Agreement cannot be completed, for such reasons relating to the Countryside Management Service and Public Rights of Way as the Director of Planning and Environment considers appropriate.

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application proposes the construction of a crematorium and dining hall within the grounds of the existing Anoopam Mission Temple site.
- 1.2 The site is within the Green Belt and construction of the proposed development would constitute inappropriate development and would also result in a loss of openness and encroachment into the Green Belt. The applicant has therefore put forward a case for 'Very Special Circumstances' to outweigh the harm to the Green Belt.
- 1.3 The case for 'Very Special Circumstances' advanced by the applicant relates to Hindu cultural and faith sensitivities not being catered for within existing crematoria Co-location of the proposed crematorium with the existing Anoopam Mission Hindu Temple complex is demonstrated to be beneficial given the cultural association. The location of the crematorium on the eastern edge of the Buckinghamshire boundary is considered appropriate given that the site is located within a one-hour drive of over half of the Hindu population in the UK. The size of the proposed crematorium is necessary to adequately accommodate the larger number of funeral attendees a Hindu funeral may otherwise attract. The applicant has considered the suitability of alternative temple sites that could serve the target population outside of the Green Belt and why these are unable to accommodate provision of the facility.
- 1.4 The proposed development would also impact the openness of the Green Belt and the purposes of the Green Belt. It is considered that the site makes a moderate contribution to NPPF, paragraph 134 purpose c) of the Green Belt (sustainable development) and a slight adverse effect would result in respect of landscape and visual impacts. Despite this it is considered that given the existing positioning of the site between a number of natural and man-made barriers, that the site is surrounded by mature tree cover and that additional planting is

proposed to mitigate the impact of the removal of trees in parts of the site, the impacts of the proposed development would be sufficiently contained so as to limit the amount of visual harm to the openness of the Green Belt. Other material considerations are also identified.

- 1.5 The contemporary design of the proposed buildings respond to the characteristics of the site, seeking to ensure that built form, landscaping improvements and car parking are fully integrated. Given modern design and filtration systems no chimneys are proposed, with only small flue outlets and cooling units required to serve the cremators.
- 1.6 Landscape, ecological and rights of way improvements, which would increase public access to the site are proposed to be incorporated as part of the development and financial contributions would be made towards the Colne Valley Regional Park ‘Countryside Management Service’. This is considered to be a benefit of the proposed development.
- 1.7 The additional trip generation could be accommodated within the local highway network, adequate parking is provided, environmental considerations have been adequately addressed and the development would not have an adverse impact on the amenity of neighbouring properties.
- 1.8 As such it is considered that the ‘Very Special Circumstances’ put forward by the applicant in combination carry significant weight such that the harm to the Green Belt is outweighed in respect of the proposed development.
- 1.9 The application has been referred to Planning Committee following discussion between Officers and the Chairman. In the interest of the wider public it is considered that the application would benefit from further public scrutiny.
- 1.10 Recommendation – conditional permission subject to completion of legal agreement **and to** no new substantive, material planning matters being raised following the close of the consultation period; or refusal if a satisfactory S106 Agreement cannot be completed.

2.0 Description of Proposed Development

- 2.1 The Anoopam Mission is a Hindu Temple located to the east of New Denham, towards the far eastern edge of the Buckinghamshire boundary. The site is within close proximity of the A40/M40 from which current access to the Anoopam Mission Temple is gained.
- 2.2 The application site is located within the Green Belt area of Denham, on the northern side of Western Avenue - otherwise known as the A40, which is also within the Colne Valley Park. The River Misbourne runs adjacent to the site's

eastern boundary and the site itself contains a number of mature trees and extensive planting.

- 2.3 To the west of the site is an access to the site from Denham Court Drive which is currently gated but opened to serve the site when special events are held. Improvements to this access were granted under application 17/00090/FUL. To either side of the access road are two large waterbodies on the site of a former gravel workings. As part of the remediation works for the neighbouring site it is proposed to include public footpaths in this location.
- 2.4 The site currently comprises a two storey buff multi brick building that is occupied by the Anoopam Mission and a number of detached single storey outbuildings spread out around this principal structure. A mixture of stone and tarmac car parking areas surround the existing buildings. A replacement temple building (consented 13/01166/FUL) has recently been constructed with the associated accommodation, dining hall and offices still under construction. Demolition of the main two storey building is required upon substantial completion/ occupation of the development which is under construction.
- 2.5 Access to the site is from the main A40. The eastern half of the site is not currently built upon and is laid to lawn.
- 2.6 Consent is sought for the erection of a crematorium building. The design of the crematorium building and associated facilities has been specifically tailored to meet the needs of the Hindu community. This would comprise: two waiting rooms, two private ritual rooms, a large ceremony hall with the ability to be internally subdivided to meet requirements of smaller funerals, a crematory hall with furnaces and plant and associated back of house and welfare facilities. A separate canteen building including dining seating for up to 100 people with showering facilities is also proposed. Car parking to serve the existing and proposed use is detailed on the submitted plans.
- 2.7 The crematorium building and dining hall would be constructed of facing brick, cedar battens, aluminium curtain walling, glass, and COR-TEN steel.
- 2.8 The application is also supported by extensive information relating to landscape and ecological enhancements.
- 2.9 Additionally, it is proposed to open the site up for wider access through the extension of proposed footpaths connecting from the former quarry site to the west and to the southern wooded part of the site. A footpath is proposed across the existing A40 access road, in the direction of the Grand Union canal, allowing for potential future connection.
- 2.10 In addition to the relevant drawings the application is accompanied by:

- a) Design and Access Statement A Crematorium by Anoopam Mission
November 2019: 19007/C01/PLANNING
- b) Planning Statement
- c) Landscape and Visual Assessment May 2020
- d) Landscape Strategy Rev D and associated sections and details
- e) Landscape and Ecological Management Plan Outline Structure
- f) Biodiversity Net Gain: Metric and Technical Note
- g) Green Belt Assessment May 2020
- h) Air Quality Assessment
- i) Archaeological Assessment
- j) Energy and Sustainability Statement
- k) Environmental Risk Assessment
- l) Flood Risk Assessment
- m) Minerals Assessment
- n) Ecological Assessments
- o) Sustainability Statement
- p) Statement of Community Involvement
- q) Travel Plan
- r) Transport Assessment
- s) Tree Survey and Arboricultural Method Statement

- 2.11 The design of the proposed crematorium remains unchanged from the original submission, however additional/amended information was provided in respect of the planning, green belt case and landscape proposals.
- 2.12 The applicant engaged with the Council's pre-application advice service prior to application submission. The design has evolved through this process as detailed within the submitted Design and Access Statement. Expert advice has been provided to the Council by LDA Design in respect of landscape and visual impact considerations and Green Belt case.

3.0 Relevant Planning History

- 3.1 The site has a long and complex planning history. The most recent and relevant planning permissions on the Anoopam Mission site are listed as follows:

- 3.2 17/00654/RVC – Conditional Permission 5 June 2017 - Variation of Condition 2 of planning permission 13/01166/FUL and 16/01929/RVC to allow for design changes to include external fenced plant area, additional windows, external terrace/steps, ramps and re-design of external escape stair, internal courtyard, corridor link to existing temple.
- 3.3 17/00090/FUL – Conditional Permission 25 May 2017 - Access road onto Denham Court Drive from the Anoopam Mission.
- 3.4 16/01929/RVC – Conditional Permission 13 January 2017 - Variation of Condition 2 of planning permission 13/01166/FUL to allow reconfiguration of layout, design and mass of approved building.
- 3.5 14/00091/VC – Conditional Permission, 2 April 2014 - Variation of Condition 2 of Planning Permission 13/01166/FUL to: Allow addition of a basement.
- 3.6 13/01166/FUL – Conditional Permission 4 October 2013 - Redevelopment of site to provide new mission comprising temple, accommodation building, dining hall and offices. Landscape works including creation of new pond.
- 3.7 The development has been screened under the Environmental Impact Assessment Regulations and the local planning authority has concluded that an environmental impact assessment will not be required in this case.

4.0 Summary of Representations

- 4.1 Denham Parish Council objects to the application for the following reasons:
 - Contrary to Green Belt policy and purposes of the Green Belt;
 - Site affords Denham protection from co-urbanisation from surrounding urban areas/sprawl;
 - Site subject to numerous developments, proposed development will disproportionately increase built form on the site causing further encroachment into the Countryside/Green Belt;
 - Proposal will effect views across site, particularly Denham Country Park
 - Adverse effect on tranquillity of local area;
 - Setting and special character of Denham Country Park not preserved;
 - Adverse effect on historic character of Denham Village;
 - Exacerbation of congested highway network and exceedance of operational capacity of Denham Court Drive;
 - Increased traffic movements will affect amenities of nearby properties and the character of the area;
 - 8m high chimneys are not of a form and design that would harmonise with surrounding properties, buildings on site to be retained and other

- buildings within the locality [Officer note: chimneys are not proposed as part of the development, only small vents];
- Land on which access road proposed privately owned with no agreement with this landowner reached;
- Harm to recreation and amenity walkers and anglers;
- Retention of access onto the M40 will create a road safety hazard;
- Harmful impact on residents and all who currently pass through Denham to reach the A40, M40, M25 and the Oxford Road leading into Uxbridge; and
- Not considered that a shortage of Hindu funeral facilities exists.

4.2 2 sets of comments have been received objecting to the proposal. Objection comments can be summarised as follows:

- Land ownership, certificate and access consent issues relating to the access track;
- the access track is located within a site with a valid permission for mineral extraction and should have been submitted to the Mineral Planning Authority;
- Amenity of the new footpath (part of quarry remediation works) adversely affected as this is to be the proposed main access;
- Enjoyment of and conflict with existing users of the lakes and footpaths as these would be adversely impacted due to intensification;
- Widening of the track and hard surfacing associated with the additional level of traffic will result in harm to the openness of the Green Belt;
- Access to the site is from the A40 currently, questioned why this needs to be changed to Denham Court Drive;
- Lack of prior consultation with neighbouring land owners and
- The new crematorium would be visible and audible.

4.3 24 sets of comments have been received which make representations in support of the proposal. These include comments from various Hindu community groups and the MP for Harrow, Bob Blackman. In addition, petitions have been submitted in support of the proposal with in excess of 2000 signatures. Supportive comments can be summarised as follows:

- Lack of similar facilities within the UK/clear community need;
- Specific facilities are required to observed Hindu rituals, current arrangement does not allow for this;
- Well located, within the grounds of an existing temple, close to many Hindu communities and easily assessable from the A40;
- Design is considered as high quality integrating well with the existing landscape;
- Considered unlikely that the site will be seen from nearby properties; and

- The environmental impact has been well assessed.
- 4.4 Material concerns/comments raised will be considered within the body of the report. Issues relating to land ownership and lack of agreement for use of the access road are noted, however considered to be a civil matter.
- 4.5 In addition to formal consultation as part of the application the applicant undertook a community consultation event in November 2019 and launched a dedicated website through which feedback would be received. The exhibition had 24 attendees who raised concerns in relation to traffic impacts on local roads and congestion, accessibility of the facility for non-Hindus and the potential for emissions and pollution. These concerns are addressed within the relevant technical sections of the report.
- 4.6 Statutory publicity for the development proposed being a potential ‘Departure from the Development Plan’ is currently being carried out. Should any comments be received before the Planning Committee meeting, then there will be an update provided to Members. Should none be received before Committee, as per the recommendation above, delegation to the Director of Planning and Environment is requested to approve the application provided no new substantive, material planning considerations are raised after the Committee meeting.

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 6 (Parking standards)
- Chiltern and South Bucks Townscape Character Study 2017
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule
- The publication version of the Chiltern and South Bucks Local Plan 2036 was approved at Council on 14 May 2019 and it was agreed that this should be endorsed as a material consideration in the determination of planning applications. This document has now gone through the consultation stage. However, given that draft Local Plan has yet to be examined by the Planning Inspectorate, only limited weight can currently be given to this document.

Principle and Location of Development

Local Plan Saved Policies:

GB1 (Green Belt boundaries and the control over development in the Green Belt)

GB4 (Employment generating and commercial development in the Green Belt (excluding Green Belt settlements)),

- 5.1 The NPPF states that the construction of new buildings should be regarded as inappropriate in the Green Belt except in specified exceptions as set out in Paragraph 145. The construction of a crematorium within the Green Belt is not one of the specified exceptions to Green Belt policy, and therefore a proposal of this nature constitutes inappropriate development within the Green Belt.
- 5.2 The NPPF reiterates that, as with previous Green Belt policy, inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 5.3 The applicant acknowledges that the proposed development amounts to inappropriate development within the Green Belt and as such has provided a set of very special circumstances which it considers justify its acceptance. This is considered in detail later in this report (Paragraphs 5.87-5.130).

Impact on openness of the Green Belt and its purposes

- 5.4 In addition to the harm caused by inappropriateness it is necessary to consider the impact of the proposed development on openness and the purposes of the Green Belt.
- 5.5 With regard to openness, the proposal would result in the introduction of substantial built form within the Green Belt in an area that is predominantly free from built form. Despite this, the strong enclosure of the site, defined by existing mature tree cover, would limit the visual prominence of the proposed buildings and associated development within the wider area. Due to the existing enclosure of the site the perception of harm to the openness of the site would be minimised, however harm to openness would still result.
- 5.6 With regard to Green Belt purposes, these are listed in para. 134 of the NPPF:
 - a) To check the unrestricted sprawl of large built up areas
 - b) To prevent neighbouring towns merging into one another
 - c) To assist in safeguarding the countryside from encroachment
 - d) To preserve the setting and special character of historic towns
 - e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

- 5.7 Purpose e) is not assessed further given that it is not considered applicable to the site/scheme.
- 5.8 In respect of a) the proposal is not connected or located adjacent to a settlement and makes a minimal contribution to containing outward sprawl. It is considered that the development would have no impact on this purpose.
- 5.9 In respect of b) the site is located between Denham and Uxbridge, however there are numerous barriers such as watercourses between the site and adjacent settlements. Given the small size of the site and that it is screened from the surrounding landscape it is considered that the proposed development would have a minimal effect on physical or perceptual merging.
- 5.10 With regard to point c) the site is located within the Colne Valley Park, bordering open countryside and is predominantly undeveloped, despite the presence of the existing temple building and A40. It plays a moderate role in preventing encroachment and the impact of the development on safeguarding the countryside from encroachment would be moderate due to the increase of built form within a predominantly greenfield site.
- 5.11 In respect of point d) the site is not located adjacent to a historic town and would not affect the setting of one, therefore the site makes no contribution to this purpose and the development would result in no effect.
- 5.12 It is most relevant to consider the impact of the proposed development on purpose c, the effect of the proposed development on encroachment into the countryside. The revised Green Belt Assessment submitted by the applicant acknowledges the moderate contribution of the site to this purpose with the Buckinghamshire Green Belt Assessment concluding that the site makes a medium overall contribution to the Green Belt.
- 5.13 The existing site comprises various buildings, parking, and low level outbuildings, however the proposed development would introduce buildings on parts of the site which are currently undeveloped. The site itself is not highly visible within the locality, due to being bounded by woodland and features such as rivers and roads. Despite the presence of the existing temple building and urbanising influences such as the adjacent A40, the site is predominantly undeveloped greenfield land that borders the countryside of Denham Country Park (and lies within the Colne Valley Regional Park). The scheme has changed significantly from that considered as part of the original pre-app designs with the initial size of the proposed crematorium and car park scaled down significantly. The design of the proposed development has also evolved to provide greater containment, with open buffers and enhanced tree planting surrounding the proposed development. Despite this the proposed development would result in increased built form of the site which would be harmful to purpose 3.

- 5.14 Paragraph 141 of the NPPF details that Local Planning Authorities should plan positively to enhance the beneficial use of the Green Belt such as looking for opportunities to provide access and opportunities for outdoor sport and recreation. The proposed development would seek to encourage public access to the site by extending footpaths which are proposed within the adjacent Lea Quarry site and proposing a footpath with the potential to link to the strategic footpath network in the future.
- 5.15 It is considered that the existing mature tree cover which strongly encloses the site would limit the visual prominence of the site within the wider area, thus reducing the perception of harm to the wider Green Belt and the performance of Green Belt purposes. The amount of visual harm to openness would be largely confined to the site itself, with limited effect on the surrounding Green Belt. The proposal would also provide opportunities for outdoor recreation and this is supported.

Landscape and visual Impact

Core Strategy Policies:

CP8 (Built and historic environment)

CP9 (Natural environment)

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP4 (Landscaping)

L4 (River Thames setting)

L10 (Proposals involving felling or other works affecting trees covered by a Tree Preservation Order)

5.16 In support of the application a Landscape and Visual Appraisal (LVA) was submitted which identifies the potential landscape and visual impact effects of the scheme.

5.17 The Council has appointed a Landscape Consultant to provide expert advice in respect of the proposed development. In terms of landscape and visual impact, the assessment made by the Landscape Consultant is as follows:

5.18 '*The crematorium building would be a maximum of 8m tall and not rise above the surrounding tree cover. The site is relatively well-screened in views from the wider area due to the presence of woodland/tree cover to the north, east and south. To the west, the site is not readily visible from Denham Court Drive due to the presence of the roadside hedgerow and being set back behind the gravel pits with additional screening provided by the site's western tree boundary. There are limited views of the existing temple building from areas of Denham Country Park*

to the north and east; including views along the Grand Union Canal (VP1) and the South Bucks Way (VP2). In both views, the site is heavily filtered by tree cover, and as a consequence the proposed crematorium - which will be lower than the existing temple complex (and from certain views screened by the existing building) - would not noticeably increase the extent of visible built development. Potential views may also be available once proposed permissive paths are created around the restored gravel workings directly to the west of the site, although additional tree planting is illustrated on the Landscape Strategy to increase visual containment.

- 5.19 *The Landscape Strategy proposes strengthening the existing screening through additional tree planting – principally along the eastern boundary adjacent to the River Misbourne. This would help contain views of the development from the South Bucks Way and Grand Union Canal (and National Cycle Route 9).*
- 5.20 *In terms of impacts on landscape features, the majority of the proposed development site is occupied by amenity grassland of relatively low ecological value. The majority of the development could be accommodated with minimal impact on the existing landscape features. The proposed car parking area would result in the loss of 18No trees (mainly of ‘moderate’ quality) – however the removal of these trees would have limited impact on visual containment due to surrounding retained tree cover. The Landscape Strategy proposes to plant a wide range of native trees, understory shrubs and undertake riparian enhancements to the tributary of the River Misbourne that flows through the site. These measures have been calculated to result in net biodiversity gain and would also complement the riparian and woodland character of the site.*
- 5.21 *The site lies within the ‘Colne Valley Floodplain’ Landscape Character Area (South Bucks Landscape Character Assessment), which is described as being a predominantly large-scale and open landscape of sparse woodland - fragmented and affected by urban development and transport corridors - but with some pockets of tranquillity and long cross-valley views. The enclosed and wooded nature of the site means that it does not reflect many of the key characteristics of the Colne Valley LCA. The proximity of the busy A40 adjacent to the southern boundary diminishes the sense of tranquillity, but the wooded and riverine setting of the temple is attractive, and something that could be enhanced by the proposed development. Inevitably, the scheme would result in a small increase in built development with localised effects on tranquillity from crematorium traffic along Denham Court Drive (a largely rural lane).*
- 5.22 *We agree with the overall conclusions of the LVA that the proposals would result in a **slight adverse effect** on landscape fabric, character and views. Any adverse effects would occur over a localised area - confined to the site and its immediate*

surrounds - and due to their small-scale and extent are not considered to be unacceptable in landscape terms.

- 5.23 *The scheme contains some positive elements capable of enhancing the immediate landscape setting, including strengthening the existing tree belts with additional planting and introducing active management into the currently neglected southern woodland block (which is supported by the tree officer).'*
- 5.24 The Landscape consultant agrees with the overall conclusions of the submitted LVA and that the proposals would result in a slight adverse effect on landscape fabric, character and views. It is considered that adverse effect would occur over a localised area - confined to the site and its immediate surrounds. Due to their small scale and extent any adverse effects are not considered to be unacceptable in landscape terms.
- 5.25 The Local Planning Authority (LPA) agrees with this assessment and the conclusions reached. The site itself is entirely surrounded by a belt of trees which the proposed development seeks to strengthen thus mitigating adverse impacts on the wider area. Adverse effects occurring would be limited to the localised area and on balance this ensures that in landscape terms the proposed development is not unacceptable.

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)

EP4 (Landscaping)

- 5.26 The NPPF (2019) at paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 127 states that developments, among other requirements, should function well and add to the overall quality of the area, should be visually attractive as a result of good architecture, layout and landscaping, and should be sympathetic to local character and history. Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. The National Design Guide has been introduced and this places

great importance on context and detailing, stating, for example that 'well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It enhances positive qualities and improves negative ones'.

- 5.27 Core Strategy policy 8 states that all new development must be of a high standard of design and make a positive contribution to the character of the surrounding area.
- 5.28 SBDLP policy EP3 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. Poor designs which are out of scale or character with their surroundings will not be permitted.

Character

- 5.29 The site is rural in character despite its proximity to a number of nearby urbanising features such as the adjacent A40. In addition to the proposed built form of the crematorium and dining hall buildings the proposal would result in the site being used more intensively with primary access to the site gained via the access road located on Denham Court drive to the west. Additional traffic movements would result in greater activity in this location. Use of the lakes to either side of the access road and future footpaths to be added as part of the remediation scheme of the quarry by recreational users is noted as are the concerns raised by Denham Parish Council in respect of harm to the character of the area and loss of tranquillity. Whilst it is accepted that some intensification of use of the Mission site would likely be perceptible due to the additional vehicular movements, the impact of the proposed built form would be limited, given enclosure of the site with existing tree belts, which are proposed to be strengthened as part of the application and the crematorium being set a significant distance away from the site boundaries. It is also considered that the proximity of the A40 to the site, with associated traffic noise, already has an effect on the recreational use of the immediate locality. It is considered that the proposal would not give rise to a significant amount of additional harm to the character of the area sufficient to warrant refusal of the application on the basis of disturbance.
- 5.30 Given the separation of the site from Denham Village and its relative enclosure it is not considered that the historic character of Denham Village would be affected.

Design

- 5.31 The siting of the proposed building has been driven by the site's characteristics. The site features water on both sides and around the site with the immediate area characterised by dense woodland, especially to the south. Built forms have been located on a geometric north-south axis with woodland extended into the site. Dense woodland blocks have been integrated to break up the apparent mass of the car parking, and create glades in which the building will sit. These geometric woodland blocks are arranged as a 'constellation' referencing the connection of the site with the celestial. Ponds are proposed around the crematorium with a large pond proposed to be located to the south of the existing temple.
- 5.32 The applicant has worked positively and proactively with the Council's Urban Design Officer. During the course of pre-application advice discussions, the proposed building was reduced in size significantly to ensure it was no larger than necessary to meet its functional need. The crematorium provides flexible space which can be adapted to accommodate either one large, or two small, ceremonies, as required. These discussions also resulted in considerable improvements to the proposed car parking areas, with the landscape strategy for the scheme being holistically reconsidered to achieve a design which promotes incursions of the surrounding woodland into the site to create a setting where the built form and vehicle parking would be glimpsed between blocks of trees.
- 5.33 The Urban Design Officer is supportive of the resultant proposal and considers that the scheme offers better integration of the proposed development into the natural landscape, with enhancements to existing features such as woodland management, new planting/landscaping alongside. Additional features such as swales, water bodies and a new central woodland feature that extends across the site are also proposed.
- 5.34 The crematorium building is formed of simple volumes with varied heights, housing the entrance area, double height auditorium and at the tallest point the furnaces. The proposed structure extends to a maximum height of 9 metres which is just under a sixth of the structure, the central ceremonial area varies in height between 6.5 metres and 8 metres and other facilities including reception areas, private ceremonial spaces, welfare facilities and other back of house facilities measure between 3.65-4.5 metres in height. The dining hall would vary in height between 3.6 -4.6 metres. The design has sought to minimise the amount of high level built form with lower roof heights proposed where appropriate. The comments of the Parish Council raised with regard to the form and height of the chimneys are noted, however, the structures referred to appear to be coolers/ vents which would project a maximum of 0.4m from the roof. It is noted that emissions from the cremator would be minimal due to the

relevant legislation requiring filtration systems that can remove 99% of pollutants, essentially reducing it to water vapour. Due to the modern efficient design of any cremator proposed, there is no need for a traditional chimney, with only a small outlet flue required. These structures would be centrally located on the roof and are unlikely to be visible due to the building parapet. When viewed in the context of the proposed building the higher level elements have been kept to a minimum. It is also noted that concerns are raised regarding the relationship between the existing temple buildings on site and the proposed structures. Given the function of the proposed crematorium it is differentiated from and would be read in architectural contrast to the temple building. This is not considered to appear out of keeping or result in adverse harm to the character of the area.

- 5.35 With regard to materials, a further design rationale is provided within the design and access statement. A palette of quality materials is proposed. Waterstruck or handmade clay bricks in either light or darker blackened multi bricks will be used to differentiate between ceremonial stages of the funeral, the COR-TEN steel ribs projecting from the main hall and over the water beyond will weather to a rust like patina after exposure to the elements and cedar battens will also be used to visually soften some parts of the façade and guide visitors to the entrance, with doors also being made of cedar. Structural glazing will also be used either side of the ceremony hall to provide adequate lighting.
- 5.36 Detailing such as the use of a long, thin brick are supported by the Urban Design Officer and considered integral to the strong architectural credentials of the proposals. A query has been raised in regard to the proposed roof detail, and the agent has confirmed that the sedum roof sits behind a parapet. Detail of this will be secured by condition, for clarity.
- 5.37 The proposed new buildings are considered to offer a modern, contemporary style that relates well to their function and setting. Notwithstanding this, it is suggested that a sample panel be constructed on site to allow consideration of the interface between the proposed materials.
- 5.38 A document detailing the proposed landscape materials palette has been submitted and includes gravel paths and gravelled areas for car parking. Surrounding the proposed buildings, a neutral colour palette of greys would be used to reflect the colours of the crematorium building, it suggested that this would consist of pencil-edged concrete block paving with slab paving immediately around the building. Detail of the final specification information is required by condition, to ensure the highest quality finish in respect of the surfacing of roads, parking bays and the delineation of spaces.

- 5.39 With regard to the water features detail has not been submitted in respect of the side profiles of these features. The Urban Design Officer encourages that these side profiles are shallow to ensure that no fencing is required. This additional detail is required by condition, although it is noted that submitted ecological/landscape information appears to suggest a naturalistic approach, appropriate to the setting.
- 5.40 Improvements to the design and character of the proposed development have been achieved through extensive engagement with officers, resulting in a scheme which successfully blends the proposed built form with existing and enhanced landscape features.

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)

Access, highways and traffic generation

- 5.41 The proposed crematorium would result in an intensification of the use of the site. The application proposes additional parking to serve the proposed crematorium and existing temple building. Access to the site would be gained from the recently constructed access from Denham Court Drive, with the existing access from the A40 to only be used for emergency access and maintenance activities. During the course of the application consultation responses were provided by the highways development management team and Highways England.
- 5.42 The crematorium can accommodate a maximum of 500 attendees, however typically it is considered that two services would occur with 200 and 300 attendees respectively. The development is assessed as having the potential to generate 683 vehicles per day (two-way) which is accepted as being a robust figure for assessment by the Highways Authority. The submitted attendance data suggests that the crematorium will operate on a staggered basis, with no visitors expected to leave or depart the site during the AM/PM peak hours. As such, further junction modelling has not been requested.
- 5.43 Access to the site was constructed under 17/00090/FUL and would be taken from Denham Court Drive, which is subject to the National Speed Limit. The required visibility splays can be demonstrated and are considered achievable.

The access point is to be widened in order to provide a simultaneous two-way flow of vehicles within the site, with the access measuring 4.8m for the entirety of the site, with some sections with a width of 5m.

- 5.44 Concerns raised in relation to increased traffic movements exceeding the capacity of Denham Court Drive and exacerbating highway network infrastructure issues are noted, however, given the comments made by the Highways Officer in respect of potential impacts, it is not considered that the proposed development would result in adverse harm.
- 5.45 The proposed crematorium would undertake a maximum of 6 smaller ceremonies each day, if a larger ceremony is required (in excess of 300 attendees) then the overall number would reduce. Supporting information details how ceremonies would be staggered to allow for ease of operation and ensure that site capacity and traffic movements are appropriately managed. To ensure the acceptability of the scheme in relation to potential impacts on the highways network, a condition will be attached in relation to the number of cremations and the timings of ceremonies, to ensure that there is no undue impact on the highways network.
- 5.46 Highways England has confirmed that the proposal is acceptable in respect of impacts on the strategic highway network, subject to imposition of conditions relating to: no access being taken from the A40 from first occupation of the proposed development, vehicular access to the site from the A40 only being allowed due to woodland maintenance/environmental activities/ emergency access, and the removal of 'Anoopam Mission' signage on Highways England land at the A40 junction.
- 5.47 The Lea Quarry to the west of the site has S106 obligations whereby public footpaths must be dedicated around the lakes, including the proposed access to the temple/crematorium. The Strategic Access Officer considers that the vehicular access specifications and intensification of vehicular movements would not be detrimental to the use of the access road, or to pedestrians using this as a public right of way. Nevertheless, considering most of the access will have shared use between private vehicles and public pedestrians, it is requested that a detailed design specification for the proposed 'Coloured Porous Asphalt' is provided for consideration by condition.

Parking

- 5.48 The Council's parking standards set out in the South Bucks Local Plan do not provide specific standards for Crematoria. Appendix 6 of the South Bucks District Local Plan details that, where a type of development is proposed which is not

included within the parking standards, it will be assessed by taking into account the information submitted with the application, site and locality and experience with similar developments. Taking this into account the Transport Assessment has used a first principles approach. The NPPF details at paragraph 105 that, when setting local parking standards for development, policies should take into account a variety of factors, including: the accessibility of development; the type mix and use of development and the availability of and opportunities for public transport. NPPF paragraph 111 details that development generating significant movement should be required to provide a travel plan and be supported by a transport assessment/statement so the impacts of the proposal can be assessed.

- 5.49 The arrival and departure profiles of major events have been considered. A full 500 person attendance would be rare, with the transport assessment focussing on the more likely occurrence of two staggered services, one with 200 and one with 300 attendees. It is noted that the site is accessible via modes of public transport given the proximity of the site to bus routes and stations with supplementary modes such as on foot and via taxi, although no public transport uptake has been assumed when calculating the potential parking need.
- 5.50 In terms of car parking, 156 spaces are to be included within the site, including 13 disabled spaces, as well as 6 coach spaces. Spaces are of adequate dimensions and a parking accumulation exercise has been undertaken which demonstrates that the proposed parking area is adequate to serve the site with safety and convenience
- 5.51 A 70% attendance with 40% arriving by private coach, 2.4 attendees per car and no use of public transport/by foot has been used. Although no potential sites are considered fully comparable, given the potential attendance of the proposed crematorium, other similar facilities have been reviewed. It is also noted that use of private coaches is considered likely to be convenient and will be advocated through travel planning.
- 5.52 On the basis of the above information the proposed parking is considered to be an acceptable level, suitable for accommodating the level of expected attendance at the site.
- 5.53 The Council's Highway Officer has raised no objection to the scheme subject to the inclusion of conditions relating to parking and manoeuvring space being laid out prior to occupation, provision of a travel plan to reduce single occupancy journeys and the submission of a construction traffic management plan.
- 5.54 It is considered that the proposal would not have an unacceptable impact on the surrounding Highway network or public footpaths in accordance with paragraph 109 of the NPPF and Policy TR7 of the South Bucks District Local Plan (1999).

Amenity of existing and future residents

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

- 5.55 The site has no immediate residential neighbours and, as a result, it is considered that the proposed development would not have an adverse impact on the amenities of local residents. Given the separation distance from the nearest neighbours it is not considered that harm would result due to additional traffic movements from the site.

Green networks/ infrastructure and strategic access

Core Strategy Policies:

CP6 (Local infrastructure needs)

CP9 (Natural environment)

CP12 (Sustainable energy)

CP13 (Environmental and resource management)

- 5.56 At paragraph 98 of The NPPF (2019) it is detailed that planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities such as adding links to existing rights of way networks. Paragraph 141 of the NPPF relates to local authorities planning to positively enhance the beneficial use of Green Belts, for example, looking for opportunities to provide access and opportunities for outdoor sport and recreation.
- 5.57 Policy CP6 relates to protection and delivery of infrastructure and details that new development will be required to provide local improvements. Infrastructure is defined in the Core Strategy as a broad term which encompasses all elements of physical, green and social infrastructure. The proposed crematoria would serve a wider catchment providing a bespoke facility to meet an unaddressed, UK wide, need for a crematorium which allows the Hindu community to cremate their dead without compromising culturally. The proposed development is not considered to result in unacceptable impacts on local infrastructure and can be considered social infrastructure which specifically addresses the cultural needs of a minority community.
- 5.58 As part of the proposed development it has been proposed to increase access to the site by including public rights of way within the site. This element of the scheme has been discussed at length with the Strategic Access Officer and amendments sought to deliver an acceptable scheme. Concerns were raised as

the River Misbourne, which runs through the site, has been identified as a priority habitat for water voles and it is therefore inappropriate to seek to increase public access in these areas.

- 5.59 It is proposed to include two newly surfaced footpaths within the northern and southern parts of the site. The more northerly footpath provides an additional link from a proposed circular walk on land to the east, which forms part of The Lea Quarry s.106 restoration scheme. The more southerly route has two positive elements. Firstly, it provides an additional and similar circular option to that provided for the northerly route, extending east from the existing walking access provided from the Lea Quarry, and secondly, extends towards the River Colne, providing the first part of a potential future link to the Grand Union Canal towpath. While the second link is outside the applicant's ownership, providing the link as part of this application secures access to await other opportunities on land to the east of the Colne. With regard to surfacing of the proposed path, it is recommended that Breedon Golden Amber Gravel is used for this rural setting within a regional park.

Financial contributions

- 5.60 Notwithstanding that The Colne Valley Regional Park Community Interest Company (CVRPCIC) considers the proposed development to be unacceptable in principle, details of potential financial contributions have been provided, with a view to offset harm to the Green Belt, in line with paragraph 138 of the NPPF. Contributions are sought towards the implementation of the Colne & Crane Green Infrastructure Strategy, within 1 mile of the development site, and towards including a connecting path to enhance the rights of way network.
- 5.61 The priority of the CVRPCIC is to provide a connecting path with a new bridge over the Colne and onwards towards the Grand Union Canal. Costs for this are estimated as being in the region of £40,000-£60,000. However, the financial contributions requested in respect of delivering a new bridge over the Colne and paths within neighbouring land are not considered reasonable given that part of the land required falls outside of the ownership of the applicant and that negotiation would be required with adjacent land owners, with likely difficulties in securing delivery. The applicant has amended their plans to indicate provision of the section of this path which falls within their site and supports this aim. The inclusion of a footpath through the wooded southern extent of the site, on land within the applicant's ownership, is considered to support the aspiration of the Colne Valley CIC and would be secured via legal agreement.
- 5.62 With respect to implementation of the Colne & Crane Green Infrastructure Strategy, a number of Countryside Management Service projects within 1 mile of

the development have been detailed and it is considered appropriate that the applicant make a financial contribution towards these. Contributions would be used towards community funding for 1-3days/week full time equivalent including costs, tools, equipment and materials. Projects of particular relevance are: (A) Colne Valley Trail which seeks to upgrade existing access routes to form continuous foot/cycle routes, enhancing user experience, access routes from outside the area and ensuring cohesive trail marking and (P) Communities and friends groups which seeks to identify and enhance relationships with existing community networks to ensure engagement for every open space in the catchment. The CVRPCIC states that this contribution should be between £15,000 and £35,000/a year for a period of 3-10 years from commencement of development. The applicant has suggested that they are willing to pay a maximum of £150,000 spread over 5 years, which is within the range detailed by the Colne Valley and is considered to be a proportionate amount. The application seeks to deliver the wider benefit of improving landscape within and outside of the site and increase recreational opportunities through expansion of the footpath network. This forms part of the case put forward for VSC as detailed later within the report. Given that the proposed ecological, landscape and public rights of way improvements are interrelated with the proposed development and case for very special circumstances it is considered that the proposed financial contribution would be necessary and relevant to the proposed development in line with the tests detailed within the NPPF.

- 5.63 To achieve this outcome discussion between Officers and the Applicant/Agent have been undertaken to ensure the scheme delivers the most favourable outcome which balances the constraints of the site and seeks to achieve public benefit by increasing public access to the site. It is considered that this element of the proposed development would also meet the aims of the NPPF (p.141) by increasing public access and recreation opportunities.

Ecology, landscaping and arboricultural issues

Core Strategy Policies:

CP9 (Natural environment)

CP13 (Environmental and resource management).

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP4 (Landscaping)

- 5.64 Core Strategy Policy CP9 seeks a net gain in biodiversity resource, maintaining existing ecological corridors. It also seeks the conservation, enhancement and net gain in local biodiversity resources within the Biodiversity Opportunity

Areas and on other non-designated land, maintaining existing ecological corridors and avoiding habitat fragmentation. The NPPF seeks to protect sites of biodiversity and to minimise impacts and provide net gains; para. 175 sets out criteria that should be considered in determining planning applications.

- 5.65 The proposed development is supported by details of the outline structure of the Landscape and Ecological Management Plan. Comments provided by the Landscape Consultant detail that the outline structure for the LEMP is considered acceptable and note the proposals for the watercourse and woodland areas, if correctly managed, should deliver ecological enhancements. It is suggested that the LEMP is divided into management works associated with the pre-construction and construction phase and post construction maintenance and management.
- 5.66 A biodiversity net gain in excess of 10% will be achieved with further details to be provided within a Landscape and Ecological Management Plan (LEMP). The most significant on-site gains can be delivered through enhancement of the mill leat and retained woodland, combined with the planting of new woodland on areas which are currently of low value.
- 5.67 The application has been accompanied by an ecological survey of the site which gives consideration to potential protected species on site. This document has been reviewed by the Council's Ecology consultant who considers that due regard has been given to protected species and habitats within the application site.
- 5.68 It is considered that conditions would be necessary to ensure that the development is carried in accordance with the recommendations set out in the Ecological appraisal, that the details of the ecological enhancements are submitted to the Local Planning Authority for approval as part of an Ecological Mitigation, Compensation and Management Plan (EMCMP) and submission of a Construction Environmental Management Plan (Biodiversity). An informative relating to the clearance of vegetation outside of the bird nesting season will also be added.
- 5.69 As suggested by the Council's Landscape Consultant, the typical requirements of a LEMP condition will be integrated with the recommendations of the ecology consultant to ensure these matters are considered holistically.
- 5.70 The arboricultural officer has been consulted. The site is not subject to any Tree Preservations Orders. It is proposed to remove a number of trees to accommodate the proposed car parking. The landscape strategy details the proposed planting with the tree officer recommending that further consideration should be given to the proposed species. The proposed woodland management plan is also considered beneficial, further details of

this would be required to be submitted within the LEMP condition. The proposed development is considered acceptable on balance, subject to conditions.

- 5.71 A condition will be attached requiring implementation of the development in accordance with the submitted arboricultural method statement under the supervision of a retained arboricultural specialist.
- 5.72 The Colne Valley CIC has requested a contribution towards the 'Countryside Management Service' and it has been agreed with the applicant to secure this contribution via legal agreement (as detailed above at paragraph 5.60).

Environmental issues

Core Strategy Policies:

CP12 (Sustainable energy)

CP13 (Environmental and resource management)

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

EP16 (Hazardous substances)

EP17 (Aerodrome/air traffic safeguarding)

EP18 (Telecommunications development)

R8 (Floodlighting)

C15 (Sites of geological importance)

- 5.73 Consultation responses have been received from the Council's Environmental Health Officers in respect of land contamination, air quality and noise and nuisance.

- 5.74 With regard to land contamination, the Council's Environmental Health Officer indicates that the site does not appear to have had a previous potentially contaminative use and there are no plausible sources of ground gas in the vicinity of the site. The proposed use is not considered to be a sensitive use. A condition will be attached requiring the reporting of unexpected contamination.

- 5.75 An air quality assessment was submitted as part of the application and no concerns have been raised in this respect by Environmental Health, however it is recommended that contractors employed adhere to the control measures detailed within Table 17 Fugitive Dust Emission Mitigation Measures. This information will be required as part of the conditions relating to a construction environmental management plan or similar. It is noted that emissions arising from cremations are covered by separate environmental regulations with an

Environmental Permit application submitted to and considered by the Local Authority prior to operation.

- 5.76 In respect of noise and nuisance it is noted that the current noise climate is dominated by traffic from the M40 and it is unlikely that this will be adversely affected by the operation of the development. Should it be necessary to control noise during construction, the Council has separate powers to deal with this.
- 5.77 The Waste and Minerals officer also raised no objection.
- 5.78 Noting the above, no objections are raised and the proposal would be acceptable in terms of environmental issues, subject to control by the relevant conditions.

Flooding and drainage

Core Strategy Policies:
CP13 (Environmental and resource management)

- 5.79 The site is located within flood risk zone 2, as identified by the Environment Agency and Strategic Flood Risk Assessment (SFRA) Zone 2 as identified by the Council and, therefore, a flood risk assessment (FRA) has been submitted in support of the application, the new crematorium and associated dining hall is considered to be 'less vulnerable' development.
- 5.80 The EA was consulted in respect of this application and notes that the proposed built footprint lies within Flood Zone 2 and falls under the Flood Risk Standing Advice.
- 5.81 An FRA was submitted in support of the application and outlines a number of flood resilience measures and identifies means of safe escape, via the access road to the west, which is in Flood Zone 1.
- 5.82 With regard to surface water management, flows from the roof area of the crematorium and dining hall buildings are to be collected via rainwater downpipes before being discharged into the nearest suitable watercourse. Flows in excess of 0.31l/s are to be attenuated within wet, ornamental ponds, located adjacent to the proposed crematorium building.
- 5.83 Flows from the car parking area to the west are to be collected via permeable paving and directed into a number of swales, before being discharged into the watercourse which runs through the site.
- 5.84 The LLFA have no objection to the proposed management of surface water on site, subject to the submission of detailed drainage designs and maintenance plans. It is considered that such details could be secured by condition.

5.85 Overall, no objection is raised. It is considered that the surface water methods presented would sufficiently contain any potential flood risk within the site and would therefore be in accordance with paragraph 165 of the NPPF.

Archaeology

Core Strategy Policies:
CP8 (Built and historic environment)

5.86 Documentation has been submitted in respect of the archaeological potential of the site, with comments provided by an archaeological officer.

5.87 The results of the test-pitting and the desk-based assessment suggest that there is potential for surviving archaeological deposits within the application site. The application site contains a high potential for multi-phase archaeological deposits to be present, and as such further works are recommended. It is considered that conditions are required to secure appropriate investigation, recording, publication and archiving of the results, in conformity with NPPF paragraph 199. Conditions relating to archaeological evaluation, trial trenching and preservation of remains in situ, will be attached.

Building sustainability

Core Strategy Policies:
CP12 (Sustainable energy)
CP13 (Environmental and resource management)

5.88 Core Policy 12 details that the Council will promote and encourage energy efficiency and renewable/low carbon energy in all new developments, through a range of measures, in order to contribute towards meeting national targets for reducing CO₂ emissions. To achieve this aim CP12 requires that all non-residential development of more than 1000sqm should provide at least 10% of their energy from decentralised and renewable, or low carbon, sources.

5.89 The submitted sustainability/energy statement is noted. This provides detail of potential renewable energy measures that could be incorporated to ensure 10% of the energy requirements will be from decentralised and renewable or low carbon sources. Whilst noting that the technologies will be investigated further, at detailed design stage, it is stated that 'it is expected that air source heat pumps to provide space heating and domestic hot water would be the most suitable solution. From the initial energy model this could contribute 35.28% of the energy use from a low or zero carbon technology.'

5.90 It has been confirmed by the Agent that the proposed buildings are capable of meeting this policy requirement and as such it is considered that the requirements of Policy CS5 could be met by way of a condition and no objections are therefore raised in this respect.

Very Special Circumstances (VSC)

- 5.91 The NPPF sets out in paragraph 143 that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The proposed development would result in an increase in the footprint and mass of built development on the site through the construction of a crematorium, dining hall, parking and internal roads. Built form would encroach into the countryside resulting in a loss of openness and being contrary to purpose c of the Green Belt which is to assist in safeguarding the countryside from encroachment as detailed at paragraph 134 of the NPPF.
- 5.92 Paragraph 144 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 5.93 The Very Special Circumstances put forward by the applicant are centred on the lack of a Hindu faith based crematorium existing nationally. This is recognised as an issue within the 2016 DCLG Review of Crematoria Provision and Facilities which raises "concerns that crematoria do not always pay sufficient regard to the cultural sensitivities of different faiths" and subsequently the 2019 Government Response confirms that minority faith groups are not adequately served by crematoria provision with issues including the size of facilities and "soft issues" such as staff awareness and sensitivity to iconography.

Demonstrated qualitative and quantitative need for crematorium

- 5.94 It is considered that quantitatively and qualitatively no Hindu faith compliant crematorium exists nationally. Hindus are identified as the third largest religious population in England and do not benefit from Hindu specific facilities anywhere in the UK. Quantitative need is based on the national average mortality rate against the Hindu community within 30 and 60 minutes' drive time of the Anoopam Mission site, against which the capacity of the proposed facility is taken into account. Qualitative need demonstrates the faith and cultural reasons why the Hindu community are disadvantaged by being unable

to properly observe their cultural and religious funeral rites and traditions in the UK.

- 5.95 Cremation accounted for just over 80% of funerals in England and Wales in 2018 according to the Federation of Burial and Cremation Authorities. The popularity of cremation is due to a variety of factors, including being more economical than burial and the ongoing burden of memorial maintenance. Cremation due to religious preference accounts for a small number of cases with an increasing uptake in the number of "technical cremations", whereby the body is cremated without an accompanying ceremony. The secular origin of cremation is identified, however often iconography used at older UK crematoria is Christian, though less overt in more recent facilities.
- 5.96 For followers of the Hindu faith cremation is traditional and ritual. The basic Hindu belief is that of samsāra, the cycle of death and rebirth to which all living things are subject unless and until they attain "enlightenment" or moksha. Of particular importance is the proper observance of each "rite of passage" or saṃskāra, which mark the milestones of a Hindu's life from before birth, through to marriage and - in time - death, when the ritual of antyeṣṭi, the last saṃskāra, must necessarily be performed by others. Fire plays a central role in every Hindu ceremony with its elemental power performing a symbolic function.
- 5.97 The traditional method of cremation in India is to burn the body on a pyre of wood in the open air, amid a series of often elaborate rituals, and whilst that tradition of is gradually being displaced, it remains important to observe not only the accompanying rituals, but the symbolism; this is a sacrifice to the fire god Agni. It is critical to Hindus that they witness – and symbolically "perform" in some way – the committal of the body. Whilst crematoria local to Hindu communities sometimes do make allowances for the Hindu ritual such as booking a double slot to accommodate a longer ceremony and the timing of the coffin being charged to the cremator, or to have larger gatherings, other traditions such as the burning of incense, the sound of drums, scattering of bright pigments, placing of sacred woods in the coffin, or a lamp in the mouth of the deceased and other ritual elements, often cannot be accommodated.
- 5.98 This proposal offers a bespoke facility that is fully cognisant with the needs of the Hindu community, with specific emphasis on the sequence of spaces required as part of the ceremonial process. Providing an appropriate setting in which to properly observe the ritual and cultural traditions of antyeṣṭi, unhurriedly, in accordance with the customs and wishes of the bereaved family. Anecdotally the Parish suggest that local Hindus don't consider such a facility to be necessary, but it should also be noted that petitions with

approximately 2000 signatures total have been submitted in support of the application.

- 5.99 The proposed crematorium building allows the space for an open coffin to be attended with various rituals performed, preparation of the body and its relocation within the main hall in order for the wider family and community to pay their respects and then to be carried to the committal room for immediate processing, attendees departing as the fire is left to burn. It is customary to wash at the earliest opportunity following a ceremony and separate bathing facilities are proposed within the dining hall building where the opportunity to eat a simple meal in line with other customs may be possible. Families of the dead would also have the added connection with the temple, viewing deities and receiving their blessings. The combination of these various rituals in one location is proposed with the intention of ensuring that the Hindu community can perform a funeral which can satisfy their cultural needs without unnecessary compromise.
- 5.100 The co-location of the proposed crematorium with the existing temple as a cultural facility which serves the specific needs of the Hindu community is relevant. This is detailed as being a relevant sequential consideration when considering the suitability of the site for selection as ‘it is intended to provide a setting whereby the Hindu community can observe and perform their funeral rituals in an environment that is identifiably “theirs”, hence the grounds of a consecrated Temple can be seen as a small slice of the Indic lands from which the faith originates, manifest in England’s landscape’. Linking the proposed facility with the existing temple is intended to ensure the scheme meets the end of life needs of the Hindu faith in the UK context.
- 5.101 There are approximately 300 crematoria across the UK, which grows slightly year on year to meet demand. Those within the vicinity of large Hindu populations have begun to offer longer services and additional facilities in a more flexible way. Despite greater attempts being made to address the ritual elements of a typical Hindu funeral, there are currently no crematoria able to adequately accommodate the larger gatherings that some Hindu funerals might attract. The 2019 government response to the Review of Crematoria Provision and facilities confirmed lack of facilities to cater to larger funeral parties.
- 5.102 Evidence has been submitted detailing the age demographic of Britain’s Hindu population and that this is now relatively mature, with demand for funerary services growing.
- 5.103 ONS data has been used to establish where the Hindu population lives within the Transport Assessment. Appeal decisions relating to crematoria accept

baseline need as being within 60mins drive time of the population catchment and this is the approach used when considering the acuteness of the 'need' for such a facility.

5.104 The ONS Census data on the religious affiliation (faith) of respondents states that a total of 816,633 people identify as Hindu in the UK, with 474,655 residing within a 60 mins' drivetime of the proposed crematorium and 244,120 residing within 30 mins' drivetime of the proposed crematorium.

5.105 The acuteness of the need is demonstrated when considering the population within a 30 minute drivetime catchment. There are no specific Hindu crematoria or any Hindu cultural and faith sensitive and compliant crematoria to serve either the 60 min or 30 min drive time catchments.

5.106 The minimum standardised mortality rate has been considered and when applied to the 60 minute and 30 minute drivetime catchment areas this equates to 8,449 and 4,345 deaths per year respectively.

5.107 The proposed Hindu crematorium proposes a maximum of 6 cremations a day, based on two ceremonies occurring concurrently, but if the attendance for one ceremony exceeds 300 then the proposed use drops to one cremation per ceremony. A maximum average number of cremations is reduced to 5.5 cremations per day.

5.108 Assuming that the crematorium is available for 345 days a year, allowing 20 days for Hindu festivals and special events, then the maximum number of Hindu cremations per year would be in the region of 1,898.

5.109 In March 2016, the Government published the Review of Crematoria Provision and Facilities Discussion Paper in response to concerns relating to the capacity of crematoria and ensuring that they are fit for purpose and sensitive to the needs of all users. The paper recognised that the cultural and religious needs of the Hindu faith were not being met before cremation. Of the 232 crematoria in England less provision per 100,000 people was identified in London and the South-East. The Crematoria Provision and Facilities Government Response to the review was published on 8 April 2019. That report notes the challenges in developing new crematoria, including the lack of available land; a need for sufficiently large sites; legislation and guidance which effectively restricts crematorium development in respect of proximity to highways and residential dwellings.

5.110 It is acknowledged that there are two crematoria in Buckinghamshire located in Amersham and Aylesbury. With regard to the use of existing crematoria both within and outside of Buckinghamshire the applicant considers that these do not meet the specific requirements of the Hindu faith in terms of the rituals around death. The facilities within Buckinghamshire are located a significant

distance away from the target population identified which predominantly resides in north London and these existing facilities are not of a similar size to the proposed crematorium which also seeks to address the need for larger funerals. These sites also do not benefit from co-location with an existing Hindu temple. The applicant has considered whether 13 other Hindu temple locations within the population catchment are capable of being sequentially preferable. None of these facilities are within the Green Belt and are therefore preferable in this respect, however none are located sufficiently far away from residential properties to meet legislative requirements for crematoria. It is noted that the 1902 Cremation Act prevents crematorium from being located within 200 yards of any dwelling house (except with consent of the owner) and 50 yards from a public highway. Also, none of these Temple locations are of a sufficient size that they could accommodate the proposed building and other enhancements.

Conclusion: Need for Hindu crematorium

- 5.111 The development would contribute to the unmet need for a Hindu Crematorium. There is no identified bespoke Hindu Crematorium nationally. The LPA is satisfied that the proposed development would contribute to meeting an unmet need for a Hindu Crematorium. Given the location of the site within close proximity to a significant proportion of the catchment population this proposed facility would meet a wider established need. It is agreed that substantial weight should be afforded to this consideration and that this would be a positive benefit of the scheme.
- 5.112 The development would meet the cultural and faith needs of the Hindu Community and makes use of an established Hindu Cultural and Faith Facility as the development is proposed to be co-located with the existing temple. From the evidence presented the LPA considers that co-location of the proposed crematorium with an existing temple is beneficial, given the cultural needs of the Hindu community and the ability to perform various rituals in one location. The existing temple is located within the Green Belt, with the proposed development extending development across an undeveloped part of the site. Regardless, this does not detract from the benefits of the proposed co-location of the crematorium and it is agreed that substantial weight should be afforded to this consideration which would be a positive benefit of the scheme.
- 5.113 The development will provide an attractive and secure environment for the existing Cultural Faith Campus and assist in securing their ability to meet their long-term Cultural and Faith needs. It is considered to be a material

circumstance that the cultural needs of the Hindu community are not being met. The funding and investment required is tied to the existing Anoopam Mission Temple. The LPA considers that this criteria should be afforded substantial weight, with deliverability of the proposed scheme a tangible benefit as currently the Hindu population has to make significant compromises relating to faith when cremating their dead. This consideration supports the quantitative and qualitative need demonstrated for the proposed development.

Other Material Considerations

5.114 A number of other material considerations have been put forward by the applicant which are considered to deliver benefits and these are assessed as follows.

Enhancement of landscape setting

5.115 It is detailed that the development will improve and enhance the landscape setting and reduce the visibility of the existing and proposed development. The LPA considers that the scheme as submitted would result in a slight adverse effect on landscape fabric as detailed within the LVA (and confirmed within the expert advice provided by the Council's Landscape Consultant). Whilst positive elements are proposed, such as strengthening tree belt planting and introducing active management, these interventions would be afforded limited weight given that their introduction seeks to mitigate some of the harm resulting from the addition of built form on site. This is considered neutral in this balancing exercise.

Cultural and faith campus

5.116 The completed Crematorium will be maintained as an active Cultural and Faith Campus. The LPA considers that this criteria should be afforded moderate weight and a positive benefit of the scheme given the identified need for a bespoke crematorium facility which addresses the needs of the Hindu community currently and in the future.

Biodiversity enhancements

5.117 Biodiversity/ecological enhancements are proposed and considered to be an exceptional circumstance as there will be a positive net biodiversity benefit. This criteria is afforded moderate weight and considered to be a positive benefit of the scheme.

Economic benefit/job creation

5.118 Job creation and the associated economic benefits of development arising from construction of the proposed crematorium are a material consideration. This is considered to have limited weight but is accepted as a positive benefit of the scheme.

Surface Water Run Off Reduced

5.119 The proposed development would result in a reduction in the amount of surface water run off affecting the watercourses. Whilst the FRA does not explicitly set out the betterment provided by the scheme and the impermeable area would increase as a result of the proposals, the discharge rate from the site would be reduced from 18l/s in the existing scenario to 0.3l/s which is considered a betterment. The LPA considers that this can be afforded limited weight and would result in a positive impact.

Increased Public Access to Colne Valley and Green Belt

5.120 Public access is proposed as part of the scheme, thus increasing accessibility to the Colne Valley and Green Belt for recreation purposes. Footpaths would be extended to support public access to the site and allow the potential for the site to be opened up for future strategic access running to the east towards the Grand Union Canal. A Section 106 agreement will secure the proposed footpaths to ensure public access to the site in perpetuity and financial contributions towards the Colne Valley 'Countryside Management Service'. Further detail relating to these contributions is identified at paragraphs 5.56-5.63 of the report. These contributions would ameliorate some of the harmful impacts of the proposed development, thus resulting in the delivery of benefits. The LPA considers that this can be afforded moderate weight and be considered as a positive impact.

Overall Balance

5.121 As set out within the NPPF (p.143) inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The proposed development would encroach into the countryside resulting in a loss of openness, contrary to the purposes of the NPPF (p.134 c.). As detailed at Paragraph 144 of the NPPF, when considering planning applications, local authorities should ensure that substantial weight is given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of

inappropriateness, and any other harm, is clearly outweighed by other considerations.

5.122 The very special circumstances put forward centre on the lack of a Hindu Faith based crematorium existing nationally. This was identified by DCLG within a 2016 review and the 2019 Government Response which confirms that minority faith groups are not adequately served. Other material considerations which weigh in favour of the proposed development have also been identified.

5.123 There is currently no dedicated similar facility within the UK, with the location of the proposed crematorium positioned to ensure it can be accessed by the largest target population, approximately half of all Hindus in the UK. The location of the site on the outskirts of London would meet the needs of this catchment population.

5.124 Co-location of the proposed facility with the existing Anoopam Mission would be beneficial given the cultural association and it has been demonstrated that there are no other suitable alternative temple sites outside of the Green Belt.

5.125 Arguments relating to the need for the proposed facility have been clearly set out and it is accepted that proposal meets a clear need for crematoria facilities to serve the Hindu population, as identified by national government.

5.126 The strong enclosure of the site, defined by existing mature tree cover, would limit the visual prominence of the proposed development within the wider area. As considered by the Council's Landscape Consultant 'this would serve to reduce the perception of harm to the openness of the wider Green Belt, and the performance of its purposes. It is considered that there would be a small amount of visual harm to openness but that this would be largely confined to the site itself with limited effect on the surrounding Green Belt.'

5.127 The proposed scheme would be of high quality design with consideration given to landscape and ecological impacts and associated improvements, such as the integration of public rights of way and ecological and woodland management. Financial contributions towards countryside management services within the Colne Valley Regional Park will also be secured.

5.128 It is considered that the submitted evidence has demonstrated that the provision of a new purpose built crematorium to serve the Hindu population and co-located within the grounds of an existing Hindu temple would contribute substantially to meeting the unmet needs of the Hindu population. The need for a Hindu crematorium in this location and the other benefits of the proposed development are considered to have substantial weight, such that in combination the harm to the Green Belt would be outweighed.

5.129 When taking into consideration all of the above, it is considered that the arguments put forward do collectively constitute Very Special Circumstances with substantial weight that outweighs the harm caused by the inappropriateness of the proposal, and the harm to openness.

Infrastructure and Developer Contributions

Core Strategy Policies:
CP6 (Local infrastructure needs)

Community Infrastructure Levy

5.130 The proposed development would be CIL exempt given that Anoopam Mission is a registered charity.

Section 106 Planning Obligation

5.131 Having regard to the statutory tests in the Community Infrastructure Levy regulations and the National Planning Policy Framework, if the application is considered to be acceptable, then the prior completion of a Section 106 Planning Obligation would be required to secure the following:

Colne Valley Regional Park 'Countryside Management Service'

- To pay £150,000 to the Colne Valley Regional Park Community Interest Company over 5 years, split into annual instalments of £30,000.

Public rights of way

- To establish public rights of way and ensure enhancement of the rights of way network in perpetuity.

5.132 The applicant has confirmed that they agree to these contributions/obligations and they are willing to enter into a legal agreement to secure these.

6.0 Weighing and balancing of issues / Overall Assessment

- 6.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 6.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning

applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
 - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
 - c. Any other material considerations
- 6.3 As set out above it is considered that the proposed development would accord with many development plan policies, however it would constitute inappropriate development within the Green Belt, which is by definition harmful. On this basis a case for Very Special Circumstances has been put forward and is considered to have been demonstrated as part of this application.
- 6.4 By virtue of its scale and the proposal constituting inappropriate development, it is necessary for the application to be advertised as a departure from the Local Plan and forwarded to the Secretary of State for Communities and Local Government for his consideration if members resolve to approve the application, as set out in the recommendation to the committee.

Public Sector Equality Duty

- 6.5 In carrying out its functions the local planning authority must, in accordance with section 149(1) of the Equality Act 2010, have "due regard" to the need to:
- a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.6 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 6.7 One of the protected characteristics covered by the public sector equality duty is religion or belief. The determination of this planning will likely impact on many persons of Hindu faith, particularly those associated with the Anoopam Mission. To refuse permission is therefore capable of constituting indirect discrimination, unless the Council can show that it is proportionate in pursuit of one or more of the Council's legitimate aims. This is because indirect discrimination occurs regardless of the intentions of the person applying a provision, criterion or practice, if that provision, criterion or practice puts persons who share a protected characteristic at a particular disadvantage when compared to persons who do not share it.
- 6.8 In this case the Council as local planning authority is assessing the application on the basis of development plan policies and all material planning considerations and on carrying out this planning balance, which is considered to be fair and proportionate, the proposed development is considered to be acceptable.

Working with the applicant / agent

- 6.9 In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 6.10 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.
- 6.11 The relevant pre-commencement conditions have been agreed in writing with the applicant.
- 6.12 In this instance the applicant:
- was provided with pre-application advice in the form of a series of PPA meetings,
 - further to application submission the applicant/agent was updated of any issues after the initial consultation,
 - the applicant/ agent responded by submitting amended plans and documentation and additional information in respect of landscape impacts which were found to be acceptable and permission recommended for

conditional approval by officers with the application to be considered by the Planning Committee.

Recommendation: Delegate the application to the Director of Planning and Environment to:

1. **GRANT planning permission** subject to the conditions set out in this report and any others which he considers appropriate and to:
 - a) The satisfactory completion of a Section 106 Agreement to secure the requirements as set out in this report.
 - b) There being no new substantive, material planning matters being raised following statutory publicity for the development proposed being a potential 'Departure from the Development Plan'
 - c) Resolving that the application be forwarded to the Secretary of State in accordance with the provision of the Town and Country Planning (Consultation) (England)Direction 2009

Or

2. **REFUSE planning permission** if a satisfactory S106 Agreement cannot be completed for such reasons, relating to the Countryside Management Service and Public Rights of Way as the Director of Planning and Environment considers appropriate.

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. Prior to the commencement of any construction works above ground level a schedule of materials to be used in the elevations of the development hereby permitted shall be submitted for written approval by the Local Planning Authority with a sample panel constructed on site for review.

The following details shall be specified in respect of the crematorium building:

1. Facing brick, colour and texture
2. Timber fins
3. Contrasting facing brick, colour and texture

4. Corten steel
5. Timber doors
6. Aluminium framed glazing

The following details shall be specified in respect of the canteen building:

1. Facing brick, colour and texture
2. Contrasting facing brick, colour and texture
3. Timber doors
4. Timber fins
5. Aluminium framed glazing, colour TBC

Thereafter the development shall be carried out in accordance with the approved details.

Reason: To safeguard and enhance the visual amenities of the locality. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refer.)

3. **Not to commence the development, including site clearance, until full details of the proposed landscaping to accord with the principles set out on the submitted 'Landscape Strategy Plan' 1138 002 F as part of this application, and illustrative details including: interventions along the stream (1138 901,902, 903 & 904), typical car park swale (1138 401), typical woodland footpath 1138 501 and indicative planting, a scheme of landscaping enhancements have been submitted to and approved in writing by the Local Planning Authority to ensure a satisfactory and continuing standard of amenity is provided and maintained in connection with the development, as well as ensuring an overall net gain in biodiversity will be achieved. The scheme should include details such as:**

- **The species, sizes, locations, numbers and means of protection for proposed trees, shrubs and herbaceous plants;**
- **Mixtures and sowing rates for grass and wildflower areas**
- **Proposals for hard landscaping of the car parking and internal paths including ground surfaces, kerbs edging and swales.**
- **Details of the proposed stream interventions and including position and type of structures and cross-sectional drawings**
- **Details of the proposed waterbodies.**

The development shall be implemented in accordance with the approved details.

Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development, and in the interests of improving biodiversity in accordance with Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer and Core Policy 9: Natural Environment of the South Buckinghamshire Core Strategy and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme which within a period of five years from the occupation or substantial completion of the development, whichever is the later, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. (ST02)

Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)

5. Prior to the commencement of any construction works above ground level, details of the proposed roofs (including the interaction between the walls and sedum roof) to the crematorium and dining hall buildings as indicated on roof plans 19007 (08) 11 and 19007 (08) 21, shall be provided in writing to the Local Planning Authority for its written approval.

Thereafter the development shall be carried out in accordance with the approved details.

Reason: To safeguard and enhance the visual amenities of the locality. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refer.)

6. **Not to commence the development, including site clearance, until a Landscape and Ecological Mitigation, Compensation and Management Plan (LEMCMP) covering a period of 20 years (but with some longer-term objectives for the woodland areas) has been submitted to, and approved in writing by, the Local Planning Authority. The LEMCMP will include the following:**

- a) Full details and specifications of new landscape planting of known benefit to wildlife, including native species of local provenance where practicable;
- b) Details of habitat creation and management of on and off-site mitigation measures including mechanisms to ensure management for a minimum of 20 years;
- c) Monitoring, reporting and management mechanisms for the retained and created on and off-site habitats for a minimum of 20 years, including necessary remedial action identified by monitoring to achieve stated condition;
- d) Results of an updated biodiversity impact calculation should the landscape plans deviate from those approved;
- e) Details of site clearance protocols and habitat manipulation measures to protect reptiles and amphibians;
- f) Details of protection measures for retained flora;
- g) Provision of a lighting design strategy to ensure minimum disturbance to light-sensitive wildlife on and adjacent to the site;
- h) Locations and specifications of all additional ecological enhancements, including bat and bird boxes and other features of value to wildlife, such as insect hotels, Hedgehog domes and habitat piles;
- i) Details on the establishment and maintenance of the proposed trees, shrubs and hedgerows including any watering, weeding, protection measures and formative pruning;
- j) Details of monitoring and reporting to determine success of management; and
- k) Details of proposed management of the established woodland areas within the site including objectives, specifications, and timings.

Reason: The prevention of harm to species and habitats within and outside the site and enhancement of biodiversity in accordance with Core Policy 9: Natural Environment of the South Buckinghamshire Core Strategy.

7. Services held at the crematorium facility hereby permitted shall not commence before 9.15 hours and will conclude by 16.30 each day. The maximum number of funerals/cremations/ceremonies held each day shall not exceed any of the scenarios listed below, where a small ceremony shall not exceed 300 attendees and a large ceremony shall not exceed 500 attendees, but where in any event the daily total of all attendees shall not exceed 1500:
 - 6 small ceremonies; or
 - 4 small and 1 large ceremony; or
 - 2 small and 2 large ceremonies; or
 - 3 large ceremonies

Reason: To protect the amenities of the area and to ensure that peak traffic hours avoided in accordance with the Highways Officer assessment of the application (Policies EP3 and TR5 of the South Bucks District Local Plan (adopted March 1999) refers.)

8. The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway. (Policy TR5 and TR7 of the South Bucks District Local Plan (Adopted March 1999) refers).

9. **Not to commence any part of the development until a Travel Plan framework for the site has been submitted to and approved in writing by the local planning authority. The framework shall set out measures to reduce single occupancy journeys by private car and indicate how such measures will be implemented and controlled. The Travel Plan shall include a full analysis of the modal split at the existing site and indicate targets for modal shift in the forthcoming year. No part of the development shall then be occupied until the approved Travel Plan has been implemented and the plan shall be subject to annual review thereafter. For the avoidance of doubt the Travel Plan will require the appointment of a Travel Plan Co-ordinator.**

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

10. **No development shall take place, including works of demolition, until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority, in conjunction with the Highway Authority. The CTMP shall include details of:**
 - i) the routing of construction vehicles
 - ii) the parking of vehicles of site operatives and visitors
 - iii) loading and unloading of plant and materials
 - iv) storage of plant and materials used in constructing the development
 - v) operating hours
 - vi) wheel washing facilities

The approved plan shall be adhered to throughout the construction period.

Reason: In the interests of highway safety, convenience of highway users and to protect the amenities of residents and safeguard the visual amenities of the locality. (Policy TR5 of the South Bucks District Local Plan (Adopted March 1999) refers)

11. The development hereby approved shall not be occupied until construction details of the access have been approved in writing by the Local Planning Authority in consultation with the highway authority, and the aforementioned access shall be laid out and constructed in accordance with the approved details. For the avoidance of doubt, this includes the access between the eastern vehicular highway boundary along Denham Court Drive and the crematorium car park edge.

Reason: In order to minimise danger, obstruction and inconvenience to walkers, in light of the access being shared with pedestrians along a proposed public footpath to be dedicated as part of the s106 Agreement secured with planning permission at The Lea Quarry.

12. The development hereby approved shall not be occupied until full details of the proposed footpath routes to accord with the indicative detail submitted on the 'Landscape Strategy Plan' 1138 002 E have been approved in writing with the Local Planning Authority, and the aforementioned footpaths shall be laid out and constructed in accordance with the approved details.

Reason: In the interests of users of the footpath and to protect the amenities of residents and visual amenities of the locality.

13. From the date of first occupation of the development hereby approved no access nor egress shall be taken to the crematorium or Anoopam Mission from the A40. This condition will not prevent access by emergency vehicles only, when access from Denham Court Drive is not possible or practical.

Reason: To ensure the impact of the development does not materially affect the safety, reliability and/or operation of the SRN (the tests set out in DfT C2/13 para's 9 & 10 and MHCLG NPPF para 109)."

14. From the date of first occupation of the development, vehicular access will be restricted on the link between the A40 and the development, except for when emergency access is required, or when vehicular access is required to the land

south of the site, including for woodland maintenance and related environmental management activities.

Reason: To ensure the impact of the development does not materially affect the safety, reliability and/or operation of the SRN (the tests set out in DfT C2/13 para's 9 & 10 and MHCLG NPPF para 109).

15. The development hereby permitted shall not be occupied until the signage on Highways England land related to the Anoopam Mission at the A40 junction with the Anoopam Mission is removed.

Reason: To ensure the impact of the development does not materially affect the safety, reliability and/or operation of the SRN (the tests set out in DfT C2/13 para's 9 & 10 and MHCLG NPPF para 109).

16. The development shall only be undertaken in accordance with the recommendations provided within the Bat Emergence and Re-entry Surveys Report produced by Arbtech (June 2020). No works of site clearance, demolition or construction shall take place until a European Protected Species Mitigation Licence has been granted by Natural England. A copy of the licence is to be provided to the Local Planning Authority.

Reason: To comply with the requirements of The Conservation of Habitats and Species Regulations 2017 and to protect species of conservation concern.

17. The development shall only be implemented in accordance with the arboricultural method statement submitted (Arbtech AMS Anoopam Mission dated 28 November 2019) and approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the phasing of the development accords with the stages detailed in the method statement and that the correct materials and techniques are employed. (ST18)

Reason: To maintain the visual amenity of the area. (Policies EP4 and L10 of the South Bucks District Local Plan (adopted March 1999) refer.)

18. **No development shall take place, unless authorised by the local planning authority, until an archaeological evaluation has been undertaken in form of trial trenching in accordance with a written scheme of investigation which has been submitted to and approved in writing by the planning authority.**

Reason: To secure appropriate investigation, recording, publication and archiving of the results in conformity with NPPF paragraph 199 and CP8 of the South Bucks Core Strategy (2011).

19. Where significant archaeological remains are confirmed, no development shall take place until an appropriate methodology for their preservation in situ has been submitted to and approved in writing by the planning authority and thereafter the approved preservation methodology shall be carried out.

Reason: To secure appropriate investigation, recording, publication and archiving of the results in conformity with NPPF paragraph 199 and CP8 of the South Bucks Core Strategy (2011).

20. Where archaeological remains are recorded by evaluation and are not of sufficient significance to warrant preservation in situ but are considered by the local planning authority to be worthy of recording, no development shall take place until the implementation of a programme of archaeological work has been undertaken, in accordance with a written scheme of investigation which has been submitted to and approved by the planning authority.

Reason: To secure appropriate investigation, recording, publication and archiving of the results in conformity with NPPF paragraph 199 and CP8 of the South Bucks Core Strategy (2011).

21. The development shall only be carried out in accordance with the submitted biodiversity net gain statement; 'Technical Note: Updated Biodiversity Metric for Anoopam Mission at Denham.' prepared by Baker Consultants (reference: 872.05 01 TN JLMW V2 dated 29 April 2020) and the following mitigation measures it details:
 - Biodiversity net-gain of at least 10% overall compared to the existing on-site baseline;
 - Improvements to the habitats, hedgerows and watercourse as outlined in the Landscape Strategy prepared by DSA Environment & Design (drawing reference; 1138 002 Rev F).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To ensure that the proposed development delivers biodiversity net-gain in compliance with the National Planning Policy Framework (2019) and policy DM NP4 of the Draft Chiltern and South Bucks Local Plan.

22. The development hereby permitted shall be carried out in accordance with the details of 'Flood Mitigation Measures' and 'Conclusions and Recommendations' as set out in the Flood Risk Assessment 100299/WO/NOV-19/01 submitted and approved as part of this planning application.

Reason: To ensure the development is adequately protected against flood risk. (Core Policy 13 of the South Bucks Local Development Framework Core Strategy (adopted February 2011) refer.)

23. No works other than demolition shall begin until a detailed surface water drainage scheme for the site, based on sustainable drainage principles set out in Flood Risk Assessment (ref. 100299/WO/NOV-19/01, November 2019, DICE) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
 - o Details of how the drainage system will function in a fluvial event with supporting calculations for a submerged outfall
 - o Existing and proposed discharge rates and volumes
 - o Ground investigations including:
 - o Infiltration in accordance with BRE365
 - o Groundwater level monitoring over the winter periods
 - o Subject to infiltration being inviable, the applicant shall demonstrate that an alternative means of surface water disposal is practicable subject to the drainage hierarchy
 - o SuDS components as indicated in Appendix E
 - o Full construction details of all SuDS and drainage components
 - o Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
 - o Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
 - o Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.
 - o Details of the warning system for surface water pumps

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

24. Not to occupy the development until a whole-life maintenance plan for the site has been submitted to and approved in writing by the Local Planning Authority. The plan shall set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage/SuDS component), with details of who is to be responsible for carrying out the maintenance. The plan shall also include as as-built drawings and/or photographic evidence of the drainage scheme carried out by a suitably qualified person. The plan shall subsequently be implemented in accordance with the approved details.

Reason: The reason for this prior occupation condition is to ensure that arrangements have been arranged and agreed for the long term maintenance of the drainage system as required under Paragraph 165 of the NPPF.

25. **Not to commence development until details of the measures to provide at least 10% of the energy supply of the development secured from renewable or low-carbon energy sources, including details of physical works on site, have been submitted to and approved in writing by the Local Planning Authority. The renewable energy equipment shall be installed in accordance with the approved details prior to the occupation of the dwelling(s) and shall thereafter be maintained to remain operational.**

Reason: To increase the proportion of energy requirements arising from the development from decentralised and renewable or low-carbon sources. (Policy CP12 of the South Bucks Local Development Framework Core Strategy (adopted February 2011) refers.)

26. 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.

27. **Not to commence any works on site until detailed plans, including cross sections as appropriate, showing the existing ground levels, the proposed slab and finished floor levels of the building and the proposed levels for all land within the site have been submitted to and approved in writing by the Local Planning Authority. Information shall be sufficiently detailed as to include any retaining walls proposed and the materials. Such levels shall be shown in relation to a fixed datum point normally located outside the application site. Thereafter the development shall not be constructed other than as approved in relation to the fixed datum point.**

Reason: To protect, as far as is possible, the character of the locality.)

28. Prior to occupation of the crematorium and dining hall hereby permitted, the existing buildings and structures within the site as shown on drawing number 19007 (08) 02 (excluding the new mission comprising temple, accommodation building, dining hall and offices consented under 13/01166/FUL or subsequent variations) shall be demolished in their entirety and all materials resulting from the removal/demolition of these buildings shall be removed from the site.

Reason: The site is located within the Metropolitan Green Belt wherein strict control over development is necessary to maintain the openness of the Green Belt and to ensure a satisfactory development in accordance with the terms of the application (Policies EP3 and GB1 of the South Bucks District Local Plan (adopted March 1999) refer).

29. **Not to commence development until (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:**
 - a) Risk assessment of potentially damaging construction activities;
 - b) Identification of "biodiversity protection zones" including off-site receptors;
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);

- d) Consideration of air quality considerations including in relation to dust emission mitigation measures;
- e) The location and timing of sensitive works to avoid harm to biodiversity features;
- f) The times during construction when specialist ecologists need to be present on site to oversee works;
- g) Responsible persons and lines of communication;
- h) The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person; and
- i) Use of protective fences, exclusion barriers and warning signs.

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

Reason: The prevention of harm to species and habitats within and outside the site during construction in accordance with Core Policy 9: Natural Environment of the South Buckinghamshire Core Strategy

30. 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> |
|------------------------|------------------------------|
| 2 Dec 2019 | 19007 (08) 01 |
| 2 Dec 2019 | 19007 (08) 03 |
| 2 Dec 2019 | 19007 (08) 04 |
| 2 Dec 2019 | 19007 (08) 05 |
| 2 Dec 2019 | 19007 (08) 10 |
| 2 Dec 2019 | 19007 (08) 11 |
| 2 Dec 2019 | 19007 (08) 15 |
| 2 Dec 2019 | 19007 (08) 16 |
| 2 Dec 2019 | 19007 (08) 20 |
| 2 Dec 2019 | 19007 (08) 21 |
| 2 Dec 2019 | 19007 (08) 25 |
| 2 Dec 2019 | 19007 (08) 26 |
| 10 Aug 2020 | 1138 002 Rev F |
| 06 Dec 2019 | T628_03B |

INFORMATIVE(S)

1. It is the responsibility of the developer/applicant to ensure that the development proceeds in accordance with the approved details and in compliance with any conditions on the planning permission. The condition(s) on this planning permission that appear in bold text are known as conditions precedent. These are conditions which require compliance before any development whatsoever starts on site. Where conditions precedent have not been complied with, any development purporting to benefit from the planning permission will be unauthorised and a breach of planning control. The Development Management section will not normally approve details required by a condition precedent retrospectively. A new planning application will usually be required under these circumstances.

Conditions precedent must be formally confirmed in writing as being complied with by the Local Planning Authority prior to commencement of work. Formal discharge/compliance may also be required for other conditions. Any requests for the discharge/compliance of conditions must be submitted to the Local Planning Authority in writing. Each such written request to discharge/compliance any conditions will require payment of a separate fee.
(SIN02)

2. Removal of any building or vegetation shall be undertaken outside of the bird nesting season (March to August inclusive). If this is not possible, then a suitability qualified ecologist shall check the areas concerned immediately prior to the commencement of clearance works to ensure no nesting or nest building birds are present. If any nesting activity is confirmed, no clearance will be permitted within the area until the birds have fledged and the nest is considered inactive.
3. A long thin brick as illustrated within the Design and Access Statement should be used in the construction of the proposed buildings. Use of tarmacadum within the proposed parking and hardstanding areas will be resisted. New water features should be designed in such a way as to mitigate the potential need for fencing (which is unlikely to be supported).
4. Contaminated Land: Information for Developers and guidance documents can be found online at http://www.southbucks.gov.uk/information_for_developers
<http://www.chiltern.gov.uk/article/2054/Information-for-Developers>
5. The proposal includes works in close proximity to the River Colne and River Misbourne and may require a Flood Risk Activity Permit. The Environmental

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

- o on or within 8 metres of a main river (16 metres if tidal)
- o on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- o on or within 16 metres of a sea defence
- o involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- o in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission. For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 422 549.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

6. It is suggested that the LEMP to be submitted as required by condition is divided into management works associated with the pre-construction and construction phase and post construction maintenance and management.
7. The applicant will be required to work with Highways England to remove the signage on Highways England land. The applicant is requested to contact Highways England to start this process at the commencement of the development hereby permitted. The applicant is advised that it is an offence to undertake any works within the highway boundary prior to the appropriate agreement being in place.

An application process can be followed in respect of directional signage, this is signage that assists drivers locating the correct access and reduces driver confusion. There is a process to be followed and this will require additional discussions with Highways England and Buckinghamshire County Council (Highway Authority).

8. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the

public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

None received.

Parish Council Comments

Denham Parish Council

Denham Parish Council strongly objects to this application on the following grounds:
Contrary to the key objectives of NPPF Green belt policy:

The government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Green Belt serves 5 purposes:

- A. To check the unrestricted sprawl of large built-up areas;
- B. To prevent neighbouring towns merging into one another;
- C. To assist in safeguarding the countryside from encroachment;
- D. To preserve the setting and special character of historic towns; and
- E. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- The site has already been subject to numerous developments, this new proposal will disproportionately increase the building site, causing further encroachment into the countryside.
- This role of this site affords Denham the protection of co-urbanisation from surrounding areas of greater London and enables the restricted sprawl of larger built up areas.
- The proposal will adversely affect views across the site, particularly affecting views from the Denham Country Park.
- The proposal will adversely affect the tranquillity of the local area, particularly affecting Denham Country Park and residents of Denham Parish.
- The proposal will not preserve the setting and special character of Denham Country Park and will adversely affect the historic character of Denham Village.

Contravenes policy TR5 of SBDC Local Plan:

- b) The operational capacity of Denham Court Drive will be exceeded and it would exacerbate an already highly congested highway capacity of the surrounding road infrastructure.
 - c) Increased traffic movements would have an adverse effect on the amenities of nearby properties use and would detrimentally affect the general character of the area.
- Contravenes Policy EP3 – The use, design and layout of the development.

At 8M high the Chimneys will not be of a form and design which would respect and harmonise with surrounding properties, including the buildings on the site which are to be

retained, and with buildings in the locality in general.

DPC are also aware that the proposed access road will have an adverse effect on the amenity area for walkers and anglers and that this land is privately owned with no agreement to improve the current road, therefore should access remain on the M40 this will create extensive traffic issues and become a major road safety hazard.

Denham Parish Council would like representation of any discussions or planning meetings where this application is discussed and would expect Buckinghamshire County Council to communicate with us in regard of this major change to our area and one that will have a massive impact on our residents and all who currently pass through Denham to reach the A40, M40, M25 and the Oxford Road leading into Uxbridge.

Government Review and Local Consultation

A recent Government Review of Crematoria Provision and Facilities was conducted dated April 2019. Respondents were made up of approximately 150 with 28% of the Hindu religion.

The report concluded there was no evidence of a shortage of crematoria and a number had adapted or were in the process of adapting the facilities for Hindu burial rituals.

There are 13 crematoria within 15 miles of Denham Parish Council and an informal consultation with members of the Denham Hindu community indicated that the facilities available are adequate and suitable.

DPC expect to be included in any discussion regarding CIL or S106 monies pertaining to this development should SBDC be minded to ignore the findings of the above Government Review and our total opposition to this further unnecessary encroachment into our Green Belt and approve the application.

Consultation Responses

External Consultees:

Highways England

Original Comments

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN. In the case of this proposed development, Highways England is interested in the potential impact that the development might have on the M40, in particular Junction 1.

The applicant did consult Highways England prior to application submission. In our response, we stated out concerns about the parking, access and the existing signage at the site. The applicant has stated that the A40 access is being closed and therefore rat running will not be possible. Furthermore, the existing directional signage is temporary and provided by the AA, this will be modified and an application for brown signs will be made in due course.

This is an extract from google maps that clearly shows a sign off the A40 to the existing Temple and not one that has been supplied by the AA; I cannot see on google maps where the current AA signing is located.

With regards to the stopping up of the access from the A40 (in in the picture above) Highways England would be the relevant authority to process an Order to enable the stopping up. We would be keen to understand whether the applicant has taken any legal advice, to date, with regards to the stopping up process. We would also be interested to understand more about the timescale for effecting the stopping up as we would have severe concerns about the existing access being used during the construction period. We would therefore be keen to see a CTMP (Construction Traffic Management Plan) which we would anticipate being conditioned and the applicant may feel that there are merits in sharing the CTMP at draft stage with Highways England.

We have read through the Transport Assessment that has been submitted as part of the planning application. Highways England request that the applicant provide a sensitivity test within their Transport Assessment for a scenario where the maximum capacity of 500 attendees are on site at one time. We would like the applicant to provide us with trip generation and parking accumulation for this scenario.

Without a full understanding of the potential impacts of the development, there is insufficient information for us to be satisfied that the proposals will not materially affect the safety, reliability and/or operation of the SRN (the tests set out in DfT C2/13 para 10 and DCLG NPPF para 32).

I trust that the above is of assistance and would be grateful if you could pass the above comments to the applicant and their consultants for further consideration and reply. This email does not constitute a formal recommendation from Highways England.

Accordingly, we formally request that your authority refrains from determining this application, (other than refusal) until such time as we have received and considered all the requested information. Once we are able to adequately assess the above and its potential impact on the SRN, and this has been agreed with the developer, we will provide you with our final formal response.

If, in the meantime, your authority wishes to determine the application, please let us know and we will provide you with a formal response based on the information

available at that time.

We look forward to receiving the additional information in due course. Should you have any queries regarding our response please contact us at planningse@highwaysengland.co.uk.

2nd Comments

We have been in contact since the end of January and our comments, although later than your stated deadline, are as follows. Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England will be concerned with proposals that have the potential to impact the safe and efficient operation of the SRN. In the case of this proposed development, Highways England is interested in the potential impact that the development might have on the M40, in particular Junction 1 and the A40 where there is an existing access to the development site. The A40 access does not sit within the application site boundary but we do have concerns about the use of that access which does form part of one of the access points to the application site. Is there an intention that the Anoopam Mission will retain use of the A40 access and if so for what purpose and when. We would also like to know what other uses would there be for the A40 access. I would like to see an access management strategy for the A40 access which would deal with my queries and also inform me as to what the strategy would be for vehicles that do use the A40 access by mistake and find themselves in an inappropriate situation with no way to access the crematorium. I would not wish to see a general acceptance of the use of the A40 access as an alternative. I see from google maps that it looks as if new gates have been installed between the red and blue land. Will these be electronically controlled and who will have authority to use them? Pending further information as a result of this email I am likely to seek conditions around the use of the A40 access. If the application is consented I would expect to see a condition for a construction traffic management plan to ensure that no construction vehicles could access/egress the site from the A40. We would also seek a condition that does not allow any advertising of companies related to the construction works to erect any sign on the M40/A40. We can see that there is an existing sign for the Anoopam Mission at the A40 access. I cannot find any evidence that Highways England have been consulted on an application for that sign and so we require the sign to be removed as it appears to be non-consented and on Highways England operational land.

I trust that the above is of assistance and would be grateful if you could pass these comments to the applicant and their consultants for further consideration and reply. I appreciate that there are some queries that can be answered by your authority. This email does not constitute a formal recommendation from Highways England.

Accordingly, we formally request that your authority refrains from determining this application, (other than refusal) until such time as we have received and considered all the requested information. Once we are able to adequately assess the above and its potential impact on the SRN, and this has been agreed with the developer, we will provide you with our final formal response.

If, in the meantime, your authority wishes to determine the application, please let us know and we will provide you with a formal response based on the information available at that time.

Final comments

Highways England Ref: #86734 / #9264

Referring to the notification of a planning application dated 12 December 2019 referenced above, in the vicinity of the M40 that forms part of the Strategic Road Network, notice is hereby given that Highways England's formal recommendation is that we:

b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions) This formal response should be read in conjunction with Highways England's covering letter dated 15 May 2020.

Annex A Highways England recommended Further Assessment

HIGHWAYS ENGLAND (“we”) has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. This response represents our formal recommendations with regard to PL/19/4159/FA and has been prepared by the Area 5 Spatial Planning Team.

Condition 1

There shall be no access to the crematorium or Anoopam Mission from the A40 at any time from the date that consent for the planning application PL/19/4159/FA is given or on a date to be agreed in writing with the planning authority in consultation with Highways England and in line with the submitted Access Management Strategy. This condition will exclude access by emergency vehicles when access from Denham Court Drive is not possible or practical.

Reason: To ensure the impact of the development does not materially affect the safety, reliability and/or operation of the SRN (the tests set out in DfT C2/13 para's 9 & 10 and MHCLG NPPF para 109).

Condition 2

Access to the crematorium will be through the routes outlined in the submitted Access

Management Strategy, which will be adhered to at all times. The A40 access shall not be used by staff, visitors or contractors of the crematorium or the temple at any time, except for the reason outlined below in condition 3;

Reason: To ensure the impact of the development does not materially affect the safety, reliability and/or operation of the SRN (the tests set out in DfT C2/13 para's 9 & 10 and MHCLG NPPF para 109).

Condition 3

The bin store gates and the electric gates at the head of the access from the A40 will be closed at all times except for access for woodland maintenance and related environmental management activities; and

Reason: To ensure the impact of the development does not materially affect the safety, reliability and/or operation of the SRN (the tests set out in DfT C2/13 para's 9 & 10 and MHCLG NPPF para 109).

Condition 4

All signage associated with the temple and crematorium currently erected without planning permission on Highways England land shall be removed, with the arrangement and undertaking of this through Highways England. No new signage or advertisements on the SRN will be permitted during the construction or operation of the site as a result of the consent for planning application PL/19/4159/FA . Highways England Planning Response (HEPR 20-05) May 2020

Reason: To ensure the impact of the development does not materially affect the safety, reliability and/or operation of the SRN (the tests set out in DfT C2/13 para's 9 & 10 and MHCLG NPPF para 109).

June

Comments received in respect of condition amendments proposed

After careful consideration of the applicants comments on the suggested Highways England planning conditions we are minded to suggest the conditions below which are amended from the applicants letter received on 28 May 2020. This sets out our updated position with respect to this planning application and the future use of the access road from the A40.

1. On first occupation of the development hereby approved no access shall be taken to the crematorium or Anoopam Mission from the A40. This condition will exclude access by emergency vehicles when access from Denham Court Drive is not possible or practical.
Reason: To ensure the impact of the development does not materially affect the safety, reliability and/or operation of the SRN (the tests set out in DfT C2/13 para's 9 & 10 and MHCLG NPPF para 109)."

2. Vehicular access will be restricted on the link between the A40 and the development, except for when emergency access is required, or when vehicular access is required to the land south of the site, including for woodland maintenance and related environmental management activities. Reason: To ensure the impact of the development does not materially affect the safety, reliability and/or operation of the SRN (the tests set out in DfT C2/13 para's 9 & 10 and MHCLG NPPF para 109)."

3. The development hereby permitted shall not be occupied until the signage on Highways England land related to the Anoopam Mission at the A40 junction with the Anoopam Mission is removed. The applicant will be required to work with Highways England to remove the signage in highway. Reason: To ensure the impact of the development does not materially affect the safety, reliability and/or operation of the SRN (the tests set out in DfT C2/13 para's 9 & 10 and MHCLG NPPF para 109)."

We note the applicant suggested the following informative, which we consider to be appropriate.

The applicant will be required to work with Highways England to remove the signage on Highways England land. The applicant is requested to contact Highways England to start this process at the commencement of the development hereby permitted. The applicant is advised that it is an offence to undertake any works within the highway boundary prior to the appropriate agreement being in place. An application process can be followed in respect of directional signage, this is signage that assists drivers locating the correct access and reduces driver confusion. There is a process to be followed and this will require additional discussions with Highways England and Buckinghamshire County Council (Highway Authority). If you have any further questions in respect to this planning application please let me know.

Thames Water :

Waste Comments

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fdevelopers.thameswater.co.uk%2fDeveloping-a-large-site%2fApply-and-pay-for-services%2fWastewaterservices&c=E,1,ZnmFY4BYZBHEcsYUkMDdXvCcFvuadMYxIR_ZdRlbt5dy-PCOK0sBIAZXD4G7MgC9WLTxAChCsYkUWQtxKvMPS9TP7bwM5Z_F8dqfo0FDWcMlkHsyLN&typo=0

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal

and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholsesale; Business customers; Groundwater discharges section.

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. Water Comments With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Environment Agency:

We have no objections to the application on flood risk grounds subject to the below condition being included on any planning decision granted.

The proposed built footprint lies within Flood Zone 2, and will fall under our Flood Risk Standing Advice (FRSA). You will need to follow the 'minor extensions' and 'what to check in an assessment' sections to review the flood risk assessment.

The proposed development will only meet the National Planning Policy Framework's requirements if the following planning condition is included.

Condition – Biodiversity net gain The development shall be carried out in accordance with the submitted biodiversity netgain statement; 'Technical Note: Biodiversity Metric for Anoopam Mission at Denham.' prepared by Baker Consultants (reference: 872.04 01 TN JLMW dated 26 November 2019) and the following mitigation measures it details:

- Biodiversity net-gain of at least 6.9% overall compared to the existing on-site baseline;
- Improvements to the habitats, hedgerows and watercourse as outlined in the Landscape Strategy prepared by DSA Environment & Design (drawing reference; 1138 002 A).

These mitigation measures shall by fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To ensure that the proposed development delivers biodiversity net-gain in compliance with the National Planning Policy Framework (2019) and policy DM NP4 of the Draft Chiltern and South Bucks Local Plan.

Informative

The proposal includes works in close proximity to the River Colne and River Misbourne and may require a Flood Risk Activity Permit. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission. For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 422 549.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity

Cadent/National Grid (Relevant sections pasted only)

Affected Apparatus

The apparatus that has been identified as being in the vicinity of your proposed works is:

- Electricity Transmission overhead lines
- Above ground electricity sites and installations

As your proposal is in proximity to apparatus, we have referred your enquiry / consultation to the following department(s) for further assessment:

- Land and Development Asset Protection Team (High Pressure Gas Transmission and Electricity Transmission Apparatus)

National Grid: No objections to the above proposal which is in close proximity to a High Voltage Transmission Overhead Line.

I have enclosed a location map to show the location of National Grid's Overhead Lines within the vicinity of your proposal and associated information below.

Internal Consultees

Council's Landscape Consultant (LDA Design)

1.0 Introduction

LDA Design Ltd ('LDA Design') have been acting as independent landscape and Green Belt advisors to South Buckinghamshire Council for the proposed crematorium scheme at Anoopam Mission, Denham (application ref: PL/19/4159/FA), through a Planning Performance Agreement (PPA) with the site promoter.

LDA Design were active participants in several pre-application meetings between the applicant and council and have reviewed previously submitted material at several stages of the pre application process. This report provides an independent opinion relating to landscape and green belt matters to inform the consideration of the application by the local

authority and members.

2.0 The Site

The site is located within the Colne Valley Regional Park, north of the A40 between the settlements of Denham and Uxbridge. It bordered by the River Misbourne (a tributary of the River Colne) and woodland belts to the north, east and south. It is separated from Denham Court Drive to the west by former gravel workings with two large waterbodies.

The site contains the recently constructed Anoopam Mission, Swaminarayan Temple and the Lea, a residential property used by the mission but scheduled to be demolished. It lies within the Metropolitan Green Belt.

The temple was granted planning permission in 2013 (13/01166/FUL) to redevelop the site and provide a new temple building. The development was classed as inappropriate development within the Green Belt. It was consented on the basis that the temple building would not result in an increase in the built footprint of the site once the Lea was demolished. The temple has been partially completed with the residential wing and refectory/catering areas yet to be constructed. The collection of buildings that forms The Lea will be demolished after the full completion of the temple complex.

3.0 The Proposed Development

The application proposes a crematorium building with c.500 seating capacity, a small canteen building, car parking area (c.157 spaces and 6 coach bays), internal access road from the car park around the crematorium. Access to the site would be created off Denham Court Drive by widening an existing track to form an access road which extends between two existing water bodies.

4.0 Green Belt Matters

The site is located within the Metropolitan Green Belt. The applicant acknowledges that the proposed development constitutes ‘inappropriate development’ and therefore is contrary to national Green Belt Policy – “inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances” (NPPF, Para 143). The proposal therefore has an in principle impact on openness by virtue of its inappropriateness. In order to grant the application, ‘very special circumstances’ need to be demonstrated that outweigh any harm to the Green Belt.

While LDA Design are instructed to advise on landscape and Green Belt matters, the overall decision as to whether there are ‘very special circumstances’ and whether these outweigh any Green Belt harm, will be determined by the council as part of the overall planning balance. This report focuses on the contribution of the site to the Green Belt, and the nature of any effects from the development on its purposes. The application is supported by a Green Belt Assessment (May 2020) that contains an appraisal of the proposed development on the Green Belt and a case for ‘very

special circumstances'. It represents an amended version of the original report (December 2019), which LDA Design advised required further clarification and additional content. It is our opinion that the revised Green Belt Assessment is sufficient to inform the determination on Green Belt matters. Within this report, although the Green Belt Assessment is referenced where appropriate, we provide our own independent summary of the main issues.

Green Belt Contribution and Impact

By virtue of its location within the Green Belt, the site makes some contribution towards Green Belt purposes as defined by NPPF para 134.

The table below summarises each purpose and identifies the level of impact arising. The main contribution the site makes towards the purposes of the Green Belt is "to assist in safeguarding the countryside from encroachment". Due to its distance from the nearest settlement edge, the site makes negligible contribution towards "checking the unrestricted sprawl of large built-up areas" albeit that it forms part of a larger area that performs this function. It is considered that the site performs no purpose in preserving the setting and special character of historic towns. Having regard to the purpose of preventing neighbouring towns merging, the site does form part of an open tract of land between Denham and Uxbridge, but its contribution to preventing neighbouring towns merging is limited by its relatively small size, enclosure from the surrounding area and presence of significant 'barriers' such as the A40, River Colne, Grand Union Canal, flooded gravel workings and disused railway. As a consequence, a development of this scale would have negligible impact in eroding the gap between Denham and Uxbridge and contributing towards their coalescence/merging.

| Green Belt Purpose (as outlined in NPPF) | Site contribution | Impact of development |
|--|--|--|
| 1). to check unrestricted sprawl of large built-up areas | The site is not connected or located adjacent to a settlement and makes a minimal contribution to containing outward sprawl | No effect |
| 2). to prevent neighbouring towns merging into one another | The site is located between Denham and Uxbridge but is small and predominantly screened from the surrounding landscape. There are numerous barriers such as roads and watercourses | Minimal effect on physical or perceptual merging |

| | | |
|---|--|--|
| | between the site and adjacent settlements. The contribution towards preventing merging is therefore limited. | |
| 3). to assist in safeguarding the countryside from encroachment | Site lies within Colne Valley Park bordering open countryside and is predominantly undeveloped, despite presence of temple building and adjacent A40. It therefore has a moderate role in preventing encroachment. | Moderate effect due to increase in built development within a predominantly greenfield site. |
| 4). to preserve the setting and special character of historic towns | The site is not located adjacent to a historic town and does not form part of the setting of any such town. It therefore makes no contribution. | No effect |

The fifth purpose of the Green Belt “to assist in urban regeneration, by encouraging the recycling of derelict and other urban land” is a generic function not considered particularly relevant to the site or scheme.

The key issue for consideration therefore is the effect of the proposed development on encroachment into the countryside (purpose 3).

The initial Green Belt Assessment (December 2019) submitted by the applicant, stated that the site made no contribution to the Green Belt due to its visual enclosure, presence of existing built development and the urbanising influence of the A40. The revised assessment acknowledges that the site makes a moderate contribution to assisting in safeguarding the countryside from encroachment - a judgement we broadly agree with. The Buckinghamshire Green Belt Assessment¹ concludes that parcel 66 (containing the site) makes a ‘medium’ overall contribution to the Green Belt.

Despite the presence of the existing temple building and urbanising influences such as the adjacent A40, the site is predominantly undeveloped greenfield land that borders the countryside of Denham Country Park (and lies within the Colne Valley Regional Park). The proposed development would result in an increase in the footprint and mass of built development on the site through the construction of a crematorium, dining hall, car parking and internal roads. This would result in encroachment of built form into the countryside,

which would be harmful to purpose 3 and Green Belt openness.

The initial size of the crematorium and car park has been scaled down from initial designs, and buffers of open space maintained around the site boundaries that are proposed to be enhanced by additional tree planting. The revised design has been developed to provide containment and limit effects on the wider landscape and its impact on openness.

Any Other Harm

When determining applications within the Green Belt, the NPPF requires that 'any other harm' arising from the proposal is considered alongside potential harm to the Green Belt. It is for the local authority to conclude whether the proposal would result in any other harm. We note that there have been no sustained in principle objections on issues such as highways, drainage, ecology and archaeology.

The Colne Valley Regional Park have retained a sustained objection to the scheme on grounds of Green Belt impact and loss of openness. The main objections of the Colne Valley Regional Park were provided in early consultation correspondence. A number of points raised in early consultation have been addressed in the final documentation. However, the Trust's latest consultation response maintains their original objection based on Green Belt harm and loss of openness.

There is a close interrelationship between consideration of the openness of the Green Belt as it relates to policy (definitional) and consideration of openness as it relates to visual and landscape character assessment. We report on the latter under the title of 'any other harm'. In the case of the current application, the strong enclosure of the site, defined by existing mature tree cover, would limit the visual prominence of the proposed crematorium building and related development in the wider area. This would serve to reduce the perception of harm to the openness of the wider Green Belt, and the performance of its purposes. It is considered that there would be a small amount of visual harm to openness but that this would be largely confined to the site itself with limited effect on the surrounding Green Belt. Our summary provides further details of landscape and visual matters.

The applicant's Landscape and Visual Appraisal states that there would be a "slight adverse" effect from the scheme on landscape fabric, landscape character and views. The majority of adverse effects would be confined to the site and its immediate peripheries due to strong screening from the wider landscape. This amounts to a relatively small and localised amount of 'any other harm' in terms of landscape and visual impact.

Very Special Circumstances

The applicant's very special circumstances (VSC) case is outlined in the Green Belt Assessment and Planning Statement submitted with the application. The VSC case considers the following points:

- There is an unmet qualitative need for a bespoke Hindu crematorium that caters for the specific cultural sensitivities and requirements of the faith group.

- There is a strong case for the co-location of a Hindu crematorium with the existing temple: *"for the purposes of meeting the faith needs, the location of the crematorium is tied to a Hindu Temple complex".*
- There is an unmet quantitative need based on an estimated catchment population of Hindus within 1-hour drive of 474,655 and c.8,449 deaths per year (ONS data).
- There is a need for a facility of adequate size able to accommodate larger groups. The applicant states that currently *"there are no crematoria able to adequately accommodate the larger gatherings that some Hindu funerals might otherwise attract"*.

A consideration of alternative sites for the crematorium extended to a sequential review of 13 other Hindu temple locations due to the stated preference for co-location. None of the existing temple sites considered are located within the Green Belt. The applicant notes: *"none are in a location sufficiently far enough away from residential properties to be permissible as a crematorium; the majority have residential dwellings adjoining or within 50m. In terms of size, none of these Temple locations are of a sufficient size that they could accommodate the proposed building"*.

It is for the local authority to determine whether the application/ applicant has demonstrated that very special circumstances exist and that these clearly outweigh the harm to the Green Belt.

Conclusions

The crematorium proposal constitutes inappropriate development and would cause harm to one of the purposes of the Green Belt within a limited area. The increase in built development within the site would result in a loss of openness. However, due to the visual enclosure of the site and presence of strong boundaries including woodland, the harm to the continued performance of the wider Green Belt would be limited in extent.

5.0 Landscape and Visual Issues

The application is supported by a Landscape and Visual Appraisal (LVA) by DSA Environment + Design Ltd (Chartered Landscape Architects). DSA consulted with LDA Design to agree the methodology of the report, study area and location of the photographic /assessment viewpoints.

Since the development was not considered to require an -EIA, landscape matters are addressed via an 'appraisal' rather than a full 'Landscape and Visual Impact Assessment' (LVIA). LDA Design have reviewed the report and consider that it is a technically robust and that it satisfactorily identifies the potential landscape and visual impact effects of the scheme.

The crematorium building would be a maximum of 8m tall and not rise above the surrounding tree cover. The site is relatively well-screened in views from the wider area due to the presence of woodland/tree cover to the north, east and south. To the west, the site is not readily visible from Denham Court Drive due to the presence of the roadside hedgerow and being set back behind the gravel pits with additional screening provided by the site's

western tree boundary. There are limited views of the existing temple building from areas of Denham Country Park to the north and east; including views along the Grand Union Canal (VP1) and the South Bucks Way (VP2). In both views, the site is heavily filtered by tree cover, and as a consequence the proposed crematorium - which will be lower than the existing temple complex (and from certain views screened by the existing building) - would not noticeably increase the extent of visible built development. Potential views may also be available once proposed permissive paths are created around the restored gravel workings directly to the west of the site, although additional tree planting is illustrated on the Landscape Strategy to increase visual containment.

The Landscape Strategy proposes strengthening the existing screening through additional tree planting – principally along the eastern boundary adjacent to the River Misbourne. This would help contain views of the development from the South Bucks Way and Grand Union Canal (and National Cycle Route 9).

In terms of impacts on landscape features, the majority of the proposed development site is occupied by amenity grassland of relatively low ecological value. The majority of the development could be accommodated with minimal impact on the existing landscape features. The proposed car parking area would result in the loss of 18No trees (mainly of 'moderate' quality) – however the removal of these trees would have limited impact on visual containment due to surrounding retained tree cover. The Landscape Strategy proposes to plant a wide range of native trees, understory shrubs and undertake riparian enhancements to the tributary of the River Misbourne that flows through the site. These measures have been calculated to result in net biodiversity gain and would also complement the riparian and woodland character of the site.

The site lies within the 'Colne Valley Floodplain' Landscape Character Area (South Bucks Landscape Character Assessment), which is described as being a predominantly large-scale and open landscape of sparse woodland - fragmented and affected by urban development and transport corridors - but with some pockets of tranquillity and long cross-valley views. The enclosed and wooded nature of the site means that it does not reflect many of the key characteristics of the Colne Valley LCA. The proximity of the busy A40 adjacent to the southern boundary diminishes the sense of tranquillity, but the wooded and riverine setting of the temple is attractive, and something that could be enhanced by the proposed development.

Inevitably, the scheme would result in an increase in built development with localised effects on tranquillity from crematorium traffic along Denham Court Drive (a largely rural lane).

We agree with the overall conclusions of the LVA that the proposals would result in a slight adverse effect on landscape fabric, character and views. Any adverse effects would occur over a localised area - confined to the site and its immediate surrounds - and due to their small-scale and extent are not considered to be unacceptable in landscape terms.

The scheme contains some positive elements capable of enhancing the immediate landscape setting, including strengthening the existing tree belts with additional planting

and introducing active management into the currently neglected southern woodland block (which is supported by the tree officer).

6.0 Landscape and Ecological Management Plan (LEMP)

We support of the suggested outline structure for the LEMP and welcome the inclusion of the woodland area to the south of the proposed crematorium. The proposals for the watercourse and woodland areas, if correctly managed, should deliver ecological enhancements.

It is suggested that the LEMP is divided into management works associated with the pre-construction and construction phase and post-construction (maintenance of newly created habitats and longer-term management).

The LEMP could be tailored so that it includes the required elements of the ‘Ecological Mitigation, Compensation and Management Plan’ and ‘Construction Environment Management Plan’ recommended by Louise Fox (Ecology Officer, Oxford City Council) in her consultation response of 16 June 2020. This would avoid the need for separate documentation and ensure the coherence of the landscape/ecological management strategy.

The LEMP should be written to enable a post-construction assessment of the biodiversity net gain committed to in the updated biodiversity metric spreadsheet (11 May 2020).

7.0 Recommendations for conditions

Landscape and Ecological Management Plan

An integrated Landscape and Ecological Management Plan (LEMP) should be produced for approval of the local authority prior to commencement of works.

The content should broadly follow the suggested structure in the ‘LEMP Outline Structure’ (29th April 2020) submitted by the applicant. The LEMP should incorporate the recommendations of Louise Fox (Ecology Officer, Oxford City Council) in her comments of 16th June 2020 – including measures for any pre-construction protection zones for habitats/wildlife. The LEMP should also include:

- Coverage of a period of 20 years (but with some longer-term objective for the woodland areas).
- Details on the establishment and maintenance of the proposed trees, shrubs and hedgerows including any watering, weeding, protection measures and formative pruning.
- Details of monitoring and reporting to determine success of management
- Details of proposed management of the established woodland areas within the site including objectives, specifications, and timings.

Detailed Landscape Scheme

The applicant has submitted a ‘Landscape Strategy Plan’ and selected illustrative details in terms of interventions along the stream, car park swales, the proposed footpath and

indicative planting mixes. We recommend that before development takes place, a full landscape scheme is submitted to the local authority for approval. The scheme should include details such as:

- The species, sizes, locations, numbers and means of protection for proposed trees, shrubs and herbaceous plants.
- Mixtures and sowing rates for grass and wildflower areas.
- Proposals for hard landscaping of the car parking and internal paths including ground surfaces, kerbs, edging and swales.
- Details of the proposed stream interventions including position and type of structures and cross-sectional drawings.
- Details of the proposed waterbodies.

Urban Design Officer

The Design and Access Statement has been written in a very considered and clear way. It explains the design proposals and both the physical and cultural context of these proposals. Pages 23, 27 and 28 offer some useful illustration and graphics that capture the design thinking, with page 36 (onwards) helping to explain how proposals have evolved.

The proposals offer a better integration into the natural landscape with enhancements proposed to existing features (such as woodland management), new planting/landscaping alongside additional features, notably swales, water bodies and a new central woodland feature that extends across the site. It is unfortunate that the central woodland cannot extend further across the site due to the need to accommodate the surface car park (a part of the design I shall come back to later).

The proposed new buildings offer a modern, contemporary style that relate well to their function and setting. The wider visual impact of the proposed buildings will be nil to low (ref: LVIA). I am unclear from the submitted material how the roof detail works, i.e. will the sedum roof sit up to the edge of the roof/façade – or be set back behind a parapet? The latter is how I am reading the elevations/drawings – and would most likely ensure a crisper and neater building detail.

It will be necessary to secure – via condition – approval of the materials listed below, ideally by way of a sample panel constructed on site that will also allow us to see the interface between different materials. I would suggest a note to applicant/informative that ensures a long, thinner brick is used (as illustrated in the Design and Access Statement) as the use of a conventional (or standard) shaped brick will ‘water down’ the strong architectural credentials of the proposals.

Additional conditions should be considered to:

- Ensure that timber is FSC sourced/certified.
- Obtain detail of the 3 no. furnace flues/cowls which are visible feature on the roof of the building.

The following two points might be resolved by way of condition, however I'd recommend seeking clarification on these points prior to determination of the application as conditions might not be necessary:

Surface car parking

The integration of surface car parking has remained a particular design challenge throughout the pre-application process. Considerable improvements have been made to the arrangement of the parking and the integration of landscaping. However, the surfacing of running areas, parking bays and the delineation of spaces requires further exploration. It is recommended that black tarmacadam is not used.

Water features/bodies

I am unclear from the submitted information as to what the side profiles (slopes) of new water features/bodies would be – and whether these would require fencing (which often ‘creeps in’ once a risk assessment is undertaken). I would encourage side profiles of water features to be shallow to ensure that no fencing is required. This would further help to settle the proposed development into the site and its woodland context.

On balance, I consider that the proposals offer a good standard of design and as such I support this application.

I trust that these comments are of assistance. Please do not hesitate to contact me should you require any further advice or assistance.

Council’s Ecology Consultant

Recommendation: No objection; if minded to approve please attach the following conditions and informative. Comments I have reviewed the ecological information provided in support of this application and am satisfied that the presence of protected species and habitats has been given due regard. If minded to approve, please include the following conditions.

Protected Species: Bats

Condition: The development shall be undertaken in accordance with the recommendations provided within the Bat Emergence and Re-entry Surveys Report produced by Arbtech (June 2020). No works of site clearance, demolition or construction shall take place until a European Protected Species Mitigation Licence has been granted by Natural England. A copy of the licence is to be provided to the Local Planning Authority.

Reason: To comply with the requirements of The Conservation of Habitats and Species Regulations 2017 and to protect species of conservation concern.

Ecological Mitigation, Compensation and Management Plan (EMCMP)

Condition: No works of site clearance or development shall proceed until an Ecological Mitigation, Compensation and Management Plan (EMCMP) has been submitted to, and approved in writing by, the Local Planning Authority. The plan will include the following:

a) Full details and specifications of new landscape planting of known benefit to wildlife, including native species of local provenance where practicable;

- b) Details of habitat creation and management of on and off-site mitigation measures including mechanisms to ensure management for a minimum of 20 years;
- c) Monitoring, reporting and management mechanisms for the retained and created on and off-site habitats for a minimum of 20 years, including necessary remedial action identified by monitoring to achieve stated condition;
- d) Results of an updated biodiversity impact calculation should the landscape plans deviate from those approved;
- e) Details of site clearance protocols and habitat manipulation measures to protect reptiles and amphibians;
- f) Details of protection measures for retained flora;
- g) Provision of a lighting design strategy to ensure minimum disturbance to light-sensitive wildlife on and adjacent to the site;
- h) Provision of a lighting design strategy to ensure minimum disturbance to light-sensitive wildlife on and adjacent to the site;
- i) Locations and specifications of all additional ecological enhancements, including bat and bird boxes and other features of value to wildlife, such as insect hotels, Hedgehog domes and habitat piles.

Reason: The prevention of harm to species and habitats within and outside the site and enhancement of biodiversity in accordance with Core Policy 9: Natural Environment of the South Buckinghamshire Core Strategy.

Construction Environmental Management Plan (Biodiversity)

Condition: No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of “biodiversity protection zones” including off-site receptors;
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person; and
- h) Use of protective fences, exclusion barriers and warning signs.

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

Reason: The prevention of harm to species and habitats within and outside the site during construction in accordance with Core Policy 9: Natural Environment of the South Buckinghamshire Core Strategy.

Informative Vegetation clearance outside the bird nesting season

All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended) and I therefore recommend the following informative is included if minded to approve:

Removal of any building or vegetation shall be undertaken outside of the bird nesting season (March to August inclusive). If this is not possible, then a suitability qualified ecologist shall check the areas concerned immediately prior to the commencement of clearance works to ensure no nesting or nest building birds are present. If any nesting activity is confirmed, no clearance will be permitted within the area until the birds have fledged and the nest is considered inactive.

Lead Local Flood Authority (SUDs)

Buckinghamshire County Council as Lead Local Flood Authority (LLFA) has reviewed the information provided in the Flood Risk Assessment (ref. 100299/WO/NOV-19/01, November 2019, DICE). The LLFA has no objection to the proposed development subject to the following conditions listed below.

Flood risk

The Flood Map for Surface Water (FMfSW) provided by the Environment Agency shows that the site lies in an area of low to medium risk of surface water flooding (meaning there is between 3.3% and 0.1% likelihood of flooding occurring in a given year). This is anticipated to have a flood depth of 150mm and 900mm. When reviewing the proposed development with the Flood Map for Surface Water, it appears that the proposed development falls outside of the areas identified at risk of surface water flooding. An online version of this mapping data is available to view through the Environment Agency's Long term flood risk information mapping.

The Infiltration SuDS Map provided by the British Geological Survey 2016, indicates that the water table is anticipated to be at depths less than 3m below the ground. The FRA identified that there is a 75% risk of groundwater flooding in the 1km² grid which contains the site. It is stated in the FRA that the groundwater flood risk in relation to buildings will be managed by raising finished floor levels. Consideration of how high groundwater levels will interact or impact the proposed surface water drainage scheme has not been provided. The applicant has proposed groundwater monitoring is to be carried out on the site, this should be conducted over the winter period (October to March) to ascertain seasonal fluctuations in groundwater levels and should inform any mitigation measures proposed in relation to the surface water drainage scheme.

It should be noted that due to the location of the site within Flood Zone 2, consideration will need to be given to the impact of a fluvial flood event on the surface water drainage scheme such as a submerged outfall.

Drainage Strategy

The drainage strategy as set out within the FRA and on drawing no. 100299_03_0500_02 include a wide range of sustainable drainage measures, such as permeable paving, filter drains, attenuation ponds and swales. I am pleased to see the inclusion of above ground SuDS within the drainage design. The proposed impermeable area which comprises the crematorium and associated buildings will drain to a series of ponds. It is proposed to achieve a connection to the ordinary watercourse that bisects the site by a pumped solution, discharging at a rate of 0.31l/s. I discourage the use of a surface water pumping station, however where necessary I request that sufficient storage is provided and an inclusion of a warning system in the event of a pump failure. I will also require a maintenance plan for the pumping station.

The car parking area to the west of the site will drain using permeable paving and swales which outfall into the ordinary watercourse. The remainder of the car parking and access road will drain to a filter drain before discharging to the watercourse. Both systems appear to have an unrestricted discharge rate as it is suggested that SuDS components will slow the flow thus mimicking greenfield runoff. At detailed design stage, it would be beneficial if calculations could be presented for multiple return periods to demonstrate this conclusion.

Quick storage estimates have been used to determine an indicative volume of attenuation storage required to serve the development. At detailed design, calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus 40% climate change storm event should be safely contained on site. These calculations must include details of critical storm durations, and demonstrate how the proposed system as a whole will function during different storm events. If any flooding occurs for the 1 in 100 year plus 40% climate change event, then we require details of where this flooding will occur and the volume of the flooding.

Indicative maintenance plans are set out in Appendix H, it is understood that the maintenance responsibilities will be kept by the site owner or developer. Maintenance plans may need to be revised subject to detailed design.

I request the following conditions be placed on the approval of the application, should this be granted by the LPA:

Condition 1

No works other than demolition shall begin until a detailed surface water drainage scheme for the site, based on sustainable drainage principles set out in Flood Risk Assessment (ref. 100299/WO/NOV-19/01, November 2019, DICE) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Details of how the drainage system will function in a fluvial event with supporting calculations for a submerged outfall

- Existing and proposed discharge rates and volumes
- Ground investigations including:
- Infiltration in accordance with BRE365
- Groundwater level monitoring over the winter period
- Subject to infiltration being inviable, the applicant shall demonstrate that an alternative means of surface water disposal is practicable subject to the drainage hierarchy
- SuDS components as indicated in Appendix E
- Full construction details of all SuDS and drainage components
- Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
- Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.
- Details of the warning system for surface water pumps

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

Condition 2

Prior to the occupation of the development a whole-life maintenance plan for the site must be submitted to and approved in writing by the Local Planning Authority. The plan shall set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage/SuDS component), with details of who is to be responsible for carrying out the maintenance. The plan shall also include as as-built drawings and/or photographic evidence of the drainage scheme carried out by a suitably qualified person. The plan shall subsequently be implemented in accordance with the approved details.

Reason: The reason for this prior occupation condition is to ensure that arrangements have been arranged and agreed for the long term maintenance of the drainage system as required under Paragraph 165 of the NPPF.

Highways Development Management

Thank you for your consultation dated the 9th December regarding the proposed development at the above location. I apologise for the delay in my response.

Western Avenue is classified as the A40 and in this location is subject to the national speed limit. Proposals include the erection of a crematorium and widening of access road. This crematorium would be a Hindu faith-based crematorium, which would allow a maximum of 500 attendees at a time.

The site benefits from two existing access points, including a left-in, left-out priority junction with the A40/M40 and an all movements priority junction with Denham Court Drive. The access with the A40 is located near to the eastbound slip road of the A40, with vehicles joining the A40, with vehicles joining the A40 from the Denham Roundabout junction. In order to enter the junction, vehicles will need to decelerate to turn left into the site, either from the main flow or via the A40 eastbound on slip. The access directly from Denham Court Drive was recently constructed and is controlled by a gate at present so is only open when events are held at the temple.

Trip Generation

As previously stated, the crematorium has been prepared to cater for a maximum of 500 attendees, consisting of a space that can be subdivided into two halls. As a full attendance of 500 people would be rare, the assessment made by the applicant focuses on a robust approach where two services could occur at 200 and 300 attendees respectively.

In terms of trip generation, there is no evidence that there is a specific Hindu crematorium in the UK which could be surveyed to produce a figure for attendances, and therefore the applicant was asked to look into other faith-based burials which could be used. A crematorium in Derby was found, which is multi-faith and can accommodate up to 340 at any one time. This crematorium was approved on the basis of 314 two-way trips per day. A first principles approach has also been undertaken on the site, which shows that the development would have the potential to generate in the region of 683 vehicles per day (two-way). Given that the first principles approach is significantly over and above what other crematoria have been assessed based on for a slightly smaller attendance, I consider the figure of 683 vehicles a day to be robust on this occasion.

Distribution

Census data provided by the applicant shows that a total of 816,633 people identify as Hindu, with 474,655 residing within an hour's catchment of the proposed crematorium. A distribution assignment has been submitted with the application, which shows that the majority of Hindus within an hour of the site are based within Greater London. As this is the case, the majority of trips would appear to be made on the A40 or M40 as the quickest route to the site. These roads are not maintained by the Highway Authority and are under the jurisdiction of Highways England. I trust that Highways England will comment on the impact of the development on their network.

Sole access to the site will be provided from Denham Court Drive. The submitted attendance data suggests that the crematorium will operate on a staggered basis, with no visitors expected to leave or depart the site during the AM/PM peak hours. As this is the case, I do not consider that an ARCADY model of the roundabout junction is required as all movements would be made outside of the peak hours.

Site Access and Layout

As previously stated, the proposed crematorium is to take sole access from Denham Court Drive. The access was constructed under application 17/00090/FUL. As Denham Court Drive is subject to the National Speed Limit. As part of this previous application, a speed survey was undertaken which demonstrated that the highest 95th percentile speed northbound was 44.1mph and 43.6mph southbound. Therefore, the required visibility splay is 2.4m x 95m to the left and 2.4m x 92m to the right upon exit. I can confirm that these splays are achievable from the access point within the extent of the publicly maintained highway. This access point is to be widened in order to provide a simultaneous two-way flow of vehicles within the site, with the access measuring 4.8m for the entirety of the site, with some sections measuring 5m in width.

I note that the existing left-in/left-out access from the A40/M40 does not form part of the proposals, with all movements being made through the Denham Court Drive access point. The existing access directly from the A40/M40 is not proposed to be stopped up, however also is not included in the red edge of the application site boundary.

In terms of car parking, I note that 156 car parking spaces have been included within the site, including 13 disabled spaces. I can confirm that whilst these spaces are of adequate dimensions, a parking accumulation exercise has been undertaken which demonstrates that the proposed parking area is adequate to serve the site with safety and convenience.

Six coach parking spaces are provided within the site, with each space measuring 14.8m x 5m. I can confirm that spaces of this dimension are acceptable to serve the site with safety and convenience. Swept-path analyses have been submitted, showing that vehicles using these coach spaces can safely park, turn and leave the site in a forward gear.

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

Condition 1: The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

Condition 2: No part of the development shall commence until a Travel Plan framework for the site has been submitted to and approved by the local planning authority. The framework shall set out measures to reduce single occupancy journeys by the private car and indicate how such measures will be implemented and controlled. The Travel Plan shall include a full analysis of the modal split at existing sites and indicate targets for modal shift in the forthcoming year. No part of the development shall then be occupied until the approved Travel Plan has been implemented and subject to annual review thereafter. For the avoidance of doubt the Travel Plan will require the appointment of a Travel Plan Co-ordinator.

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

Condition 3: No development shall take place, including works of demolition, until a

Construction Traffic Management Plan (CTMP) has been submitted to and approved by the Local Planning Authority, in conjunction with the Highway Authority. The CTMP shall include details of:

- i) the routing of construction vehicles
 - ii) the parking of vehicles of site operatives and visitors
 - iii) loading and unloading of plant and materials
 - iv) storage of plant and materials used in constructing the development
 - v) operating hours
 - vii) wheel washing facilities
- The approved plan shall be adhered to throughout the construction period. Reason: In the interests of highway safety, convenience of highway users and to protect the amenities of residents.

Strategic Access Officer

Original comments

The local rights of way are illustrated in Plans 1 and 2, with Footpath 48 Denham Parish (DEN/48/1) passing in a north to south direction across the proposed vehicular access to the crematorium. Denham Country Park is located to the north and recreational access is complemented by de facto walking around The Lea Quarry and along Footpath DEN/48/1, though the latter is a dead-end at its southern extent.

The cross-over between the proposed crematorium access and Footpath DEN/48/1 is illustrated in Photo 1 and 2. This entrance has suffered significant amount of fly-tipping in recent months, which is a county enforcement matter.

As illustrated in the above photos the footpath surface is constructed with a bitumen surface, with tactile paving on the approaches.

The access road proposal detail document combined with Drawing T628_03B confirm this surfaced area remains unaffected. Pedestrian visibility at this footpath junction is good so I have no concern with regard to the increase in vehicular movements at this location and the proposed new entrance gates appear not to obstruct the footpath on opening. The surface proposed is 'Coloured Porous Asphalt' at a 5m width. Colleagues in Highways Development Management will comment on the adequacy of the width for two-way traffic and pedestrians, but the surface is satisfactory for walkers.

The Lea Quarry has s.106 obligations whereby public footpaths must be dedicated around the lakes – see Extract 1 and the illustrative restoration plan below. You will have noted comments from colleagues in the county's Strategic Planning Team on this matter. At the time of writing, the dedication of footpaths as part of the s106 Agreement is outstanding and the amended restoration scheme is in the process of being determined by the county council - see application CM/0096/18.

CM/0096/18 | Revision of restoration scheme and extension of completion date to 31 December 2019 due to difficulties in the long term establishment of current restoration scheme planting | The Lea Quarry Denham Court Drive Denham Uxbridge Buckinghamshire UB9 5PG

Nevertheless, it would appear that from a rights of way perspective the proposed vehicular access specification and predicated vehicular movements would not be detrimental to the dedication or subsequent use of the access as a public footpath circulating around the northern lake. Nevertheless, considering most of the access will have shared use between private vehicles and public pedestrians, I would like to oversee a detailed design specification for the proposed ‘Coloured Porous Asphalt’. The following is therefore recommended.

Condition: Prior to occupation of the development hereby approved, construction details of the access shall be approved in writing by the Local Planning Authority in consultation with the highway authority, and the aforementioned access shall be laid out and constructed in accordance with the approved details. For the avoidance of doubt, this includes the access between the eastern vehicular highway boundary along Denham Court Drive and the crematorium car park edge.

Reason: In order to minimise danger, obstruction and inconvenience to walkers, in light of the access being shared with pedestrians along a proposed public footpath to be dedicated as part of the s106 Agreement secured with planning permission at The Lea Quarry.

2nd Comments

The revised Landscape Strategy Plan (Drawing 1138 002 D) outlines a circular footpath around the site which proposes to connect across the application boundary in three places: 1) on the north-western boundary with the restored quarry site; 2) on the nearby north-eastern boundary across the Colne River into Denham Country Park; and 3) at the south-western boundary with the restored quarry site.

The proposed footpath, presumably permissive, would normally be a welcome addition to such an application, which enhances the local walking network and supports the aims of both Buckinghamshire Rights of Way Improvement Plan 2020-2030 and key principles 3 and 6 of the Colne and Crane Valley Green Infrastructure Strategy (September 2019).

Connectivity is annotated at two points marked ‘Q’ on the Landscape Strategy Plan towards the adjoining footpaths around the neighbouring restored Lea Quarry site. Extract 1 illustrates the north-western link, while on Plan 1 I have marked the footpath in yellow onto The Lea Quarry s106 plan and the boundary link with a red arrow. It is not clear if this or the south-western boundary crossing require authority from the neighbouring owner.

With regard to proposed single connection point marked ‘N’, the applicant offers to fund a new bridge linking north-east onto land owned and managed by Buckinghamshire Council and forming part of Denham Country Park, shown for convenience on a rights of way map (Plan 2) and Extract 2 below.

This would enhance pedestrian connectivity towards Denham Country Park and the wider rights of way and canal network, the latter forming part of the promoted routes: South Bucks Way and Colne Valley Trail. However, I have written to the Country Parks Manager for his perspective on the proposal. He states:

Unfortunately, we wouldn't be supportive of a bridge over the Misbourne at this point – the whole of this stretch of the Misbourne has been identified as a priority habitat for water voles which are protected under schedule 5 Wildlife and Countryside Act 1981. We would seek conditional protection of both banks of the Misbourne if any planning consent is given and not to seek increased access in this area.

While the bridge would normally be welcome from an access perspective, in light of these comments I would not wish to pursue a crossing of the river Misbourne if water vole habitat is impacted negatively.

With no bridge, this would leave the proposed footpath unconnected with other networks except the existing loop around the quarry. This would leave us with a dead-end loop on a dead-end loop. The Colne Valley Regional Park Managing Agent has suggested a better option would be to connect east to west across the site linking The Lea Quarry with the canal towpath, perhaps through southern part of the crematorium site. The applicant's comments are noted regarding connecting land falling outside their control, but perhaps a dialogue could be opened at some stage.

In light of the above, I would not wish to seek a bridge crossing, nor further access by way of the circular footpath alongside the river. Further ecological advice on the local riverside habitat may be appropriate.

Final Comments

Thank you for your letter of 10th August 2020 enclosing a revised Landscape Strategy: Drawing No. 1138 002 (Rev F).

The plan illustrates two newly surfaced footpaths in the northern and southern parts of the site, shown with orange dashed lines and described in Box P. I understand public access to these routes will be provided in perpetuity and secured by condition.

The more northerly footpath provides an additional link from an existing circular walk on land to the east, forming part of The Lea Quarry s.106 restoration scheme. This new route avoids possible ecological conflict with existing water vole habitat and ongoing project work alongside the River Misbourne.

The more southerly route has two advantages. Firstly, it provides additional and similar circular walking option as provided for the northerly route, extending east from the existing walking access provided from The Lea Quarry. Secondly, the extension to the River Colne provides the first link to the Grand Union Canal towpath within the applicant's ownership that could provide wider strategic gains in future. While the second link is outside the applicant's ownership, providing the link as part of this application secures access to await other opportunities on land eastern of the River Colne.

With regard to the proposed surface there are no details, but I would recommend Breedon Golden Amber Gravel for this rural setting within a regional park.

In summary, I have no objection to the proposed amendments and the following is recommended.

Condition Prior to occupation, a scheme detailing the footpaths shown indicatively on Drawing No. 1138 002 (Rev F) shall be submitted to and approved in writing by the LPA, to include surface treatment type. The scheme shall be implemented in accordance with the approved scheme within 12 months of occupation and shall thereafter be provided for use by the public in perpetuity. Reason In order to provide safe and attractive pedestrian access improvements, enhancing enjoyment of and appropriate mitigation within the Colne Valley Regional Park, and to comply with Policy CP7.

Strategic Planning (Previously Buckinghamshire County Council)

Original Comments

Within Buckinghamshire, BCC has a statutory role for strategic planning as the county's Mineral and Waste Planning Authority.

The proposed site is within the Minerals Safeguarding Area, as defined in the Buckinghamshire Minerals and Waste Local Plan 2016 – 2036 (MWLP). This means BCC must take special considerations to prevent sterilisation of finite resources by non-minerals development, such as the proposed development.

Having assessed the available documents, with particular focus on the Mineral Assessment, BCC has reached that the conclusion that this development is not considered exempt from Policy 1 of the Minerals and Waste Local Plan. BCC finds the level of detail in the Mineral Assessment to be insufficient, therefore the evidence base from which the development can be justified is lacking. The applicant has chosen not to conduct a geological site specific survey, meaning they are unable to present on data on mineral resource information on the site. It is therefore difficult to ascertain whether there is any validity to their claim that the development's proximity to an existing quarry may mean the land has already been exploited. BCC has no evidence that previous extraction has been undertaken in the site area.

BCC believes that this development would be in breach of Strategic Objective 2 of the MWLP: Safeguarding of Mineral Resources. There is reason to believe that the progression of this development – and the associated growth and increased traffic – could hinder the extraction and use of sand resources in the area. BCC has seen no plan on how the applicant plans to mitigate and/or prevent this from happening.

BCC Planning note the access road for the proposed development at The Lea goes through the area of land known as The Lea Quarry. This is an active mineral site as development to which the relevant mineral permission relates is still being carried out by virtue of the site not yet having been restored in accordance with the approved plans. The principle of restoration of the mineral working to amenity use, including two lakes with public footpaths around the lakes, was a condition of the development under the original planning permission granted in 1999. The planning permission has subsequently been varied but the principle of restoration has not changed. BCC Planning are currently working with the agent

and landowner of the Lea Quarry to ensure the site is restored in a satisfactory manner and public footpaths around the lakes are created as originally intended. We have received a planning application in relation to this (CM/0096/18) which is in the process of determination.

From the information provided as part of application PL/19/4159/FA, we are unsure whether the main access to The Lea is proposed to change should the proposed development be granted planning permission. It is our understanding that currently the primary access to The Lea is via the A40. Access from Denham Court Drive through the Lea Quarry is understood to be via a gated entrance and use of this route is by permission with the quarry landowner. While agreement with the quarry landowner to go through the Lea Quarry is considered to be outside the remit of planning, the highway impact of traffic using Denham Court Drive is considered to be relevant to the application. Potential conflict between users of the existing footpath DENH/48/1 and access via Denham Court Drive is also considered to be relevant. We trust these matters will be considered by South Bucks District Council when determining the planning application. In addition we note there has recently been commercial organised criminal dumping associated with illegal encampment within the Lea Quarry and surrounding area – estimated to be up to 1000 transit loads within the last two years. As such we recommend the applicant works with the quarry landowner to minimise the opportunity for this illegal activity on the application site and quarry.

BCC Planning considers the acceptability of development in relation to air pollution and air quality are important considerations. To the north of the application site is Colne Valley Park Local Nature Reserve. To the east are Fray's Farm Meadow Site of Special Scientific Interest (SSSI) and Denham Lock Wood SSSI. The South Bucks AQMA for "An area comprising the M4, M25 and M40 and adjacent land" is to the south of the application site. Between the SSSIs and the application site are the River Colne and River Misbourne. Again, we trust South Bucks District Council is aware of these features and designations and that they will take any potential impacts into consideration when determining the planning application.

Directly in relation to restoration of the mineral extraction site, the proposed development raises several concerns which we believe must be considered when determining the acceptability of the proposed development. These are:

- Impact on the visual and acoustic amenity of users of the lakes (e.g. anglers) and footpaths relating to the presence of the buildings and traffic through the former quarry site.
- Conflict between users of the footpaths created as part of the restoration within the Lea Quarry site and access to The Lea through the Lea Quarry.

Based on the above comments, it is BCC's recommendation that the development should not be granted permission at this moment in time. Instead, the applicant needs to address the concerns raised by BCC and provide sufficient evidence to allow a more detailed assessment by BCC officers of the planning application. Please do not hesitate to get in touch if we can be of further assistance.

Final comments

Following an assessment of the above named application, I can confirm that the BCC

Minerals and Waste Team has no further comments on this application.

Environmental Health Contaminated Land

Phase 1 Environmental Assessment prepared by Dice Consulting Engineers Ltd (Report ref. 100299/LD/AUGUST-19/01).

An investigation to assess geotechnical issues has been recommended, it has been suggested that confirmatory environmental testing including gas monitoring be completed to assess site conditions and obtain sufficient data to further refine the conceptual model.

The historical maps show that there were buildings on site during the 1869-1888 epoch, the site is labelled The Lea, no changes are shown on subsequent maps. The site does not appear to have had a previous potentially contaminative use. There are no plausible sources of ground gas in the vicinity of the site.

The proposed use is not considered to be a sensitive use.

Based on this, the following condition is recommended on this and any subsequent applications for the site. The application requires the following condition(s):

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.

INFORMATIVE: Information for Developers and guidance documents can be found online at
http://www.southbucks.gov.uk/information_for_developers
<http://www.chiltern.gov.uk/article/2054/Information-for-Developers>

Environmental Health Noise and Nuisance:

My comments regarding the above proposed development are as follows:

Having checked the documents on the portal I have no observations to make. The current noise climate is dominated by traffic from the M40 and unlikely to be adversely affected by the operation of the development (ref, EXTRIUM England Noise and Air Quality Viewer) .

The Council has powers under the Control of Pollution Act 1974 to control noise during the construction phase should this prove necessary.

Environmental Health Air Quality

I have read the air quality assessment submitted as part of the application mentioned above and I have no comment to make on the methodology or conclusion. However it may be prudent to have a system in place to ensure that the contractors employed will adhere to the measure outlined in Table 17. This may be in the form of a Construction Environmental Management Plan or similar.

Buckinghamshire Archaeology

The application site lies within a wider landscape of known archaeological potential and palaeoenvironmental potential. Evaluation trenching prior to quarrying to the west of the application area recorded numerous phases of alluvial deposits interspersed with archaeological horizons. Whilst many of the deposits and features were not able to be dated, one linear feature was dated to the late Bronze Age/Early Iron Age whilst the discovery of a rare bustum burial dates to the Roman period. To the east of the application site lies an area with a high potential for Late Palaeolithic and Mesolithic artefacts to be present. The location of the application site, bordered and crossed by watercourses, also suggests a good potential for waterborne deposits to overlie the site, which can protect and preserve both archaeological and environmental deposits.

Archaeological test pitting has been carried out within the application site pre-determination. The results of these works have identified desiccated peat layers in the east of the site, which indicate that this area was likely located within the floodplain during the early Holocene but that recent impacts on the water table, such as through nearby quarrying, have resulted in the organic deposits drying out. In the west the test pitting evidence identified the depth of the archaeological horizon at which any continuation of the prehistoric and Roman activity recorded within the adjacent quarry area would likely continue.

The results of the test-pitting and the desk-based assessment have helped to inform us on the potential for surviving archaeological deposits within the application site. It is clear that the application site contains a high potential for multi-phase archaeological deposits to be present, and as such further works are recommended.

If planning permission is granted for this development then it is likely to harm a heritage asset's significance so a condition should be applied to require the developer to secure appropriate investigation, recording, publication and archiving of the results in conformity with NPPF paragraph 199. With reference to the NPPF we therefore recommend that, based on the advice in DOE Circular 11/95, any consent granted for this development should be subject to the following conditions:

- No development shall take place, unless authorised by the local planning authority, until the applicant, or their agents or successors in title, have undertaken archaeological evaluation in form of trial trenching in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. Where significant archaeological remains are confirmed these will be preserved in situ.

- Where significant archaeological remains are confirmed, no development shall take place until the applicant, or their agents or successors in title, have provided an appropriate methodology for their preservation in situ which has been submitted by the applicant and approved by the planning authority.
- Where archaeological remains are recorded by evaluation and are not of sufficient significance to warrant preservation in situ but are worthy of recording no development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

Arboricultural Officer

Original Comments

There are no current tree constraints within the site. I have reviewed the submitted tree survey report by Arbtech (1 November 2019) and Arboricultural Method Statement (28 November 2019) which is in accordance with BS 5837 guidance.

Obviously the proposed scheme illustrates the removal of a number of trees mainly to accommodate the proposed car parking within the site. Unfortunately a proportion of the wooded area identified as W2 (described as mature, fair and 15m in height) is to be removed. To ensure no net loss/net gain in biodiversity terms it would have been helpful for a landscape scheme to be submitted as part of this application to demonstrate improved/sustainable screening by proposed new landscaping mentioned in the DAS. However, I appreciate this information is sometimes requested as a planning condition.

I do have concerns if permission is granted and future applications request increased car parking space because further removal of trees would have a detrimental impact to the visual greenery/appearance of the site. If planning permission is granted I recommend planning condition ST18.

Final Comments

Please refer to my previous tree comments on the 8 January 2020 for background information. I have reviewed amended landscape strategy drawing 1138 002 D and crematorium park area drawing 1138 007 which recommends alder and poplar planting as a new woodland mix. Careful consideration would be needed to any poplar species being a large and weak timbered tree. Aspen may be suitable species but needs to be considered carefully because of ongoing management to reduce foreseeable risk/target areas of the car park area.

I have also reviewed the landscape/biodiversity principles on submitted documents (2 June) and plans. As outlined previously if planning permission is granted I recommend planning condition ST18 and I hope the applicant will consider the benefits of a woodland management plan

<https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fguidance%2Fcreate-a-woodland-managementplan&data=02%7C01%7Cplanning.cs%40buckinghamshire.gov.uk%7C2cbc4f608ff14fe>

9098808d806def3c8%7C7fb976b99e2848e180861ddabecf82a0%7C0%7C0%7C6372669019
42739975&sdata=3PAhgsHebIlo6gtLSFJZ2nMHbBn0xJQevhMitMoXb2o%3D&reserved=0 to ensure national best practice is undertaken for perpetuity.

Amenity Societies/Residents Associations

Colne Valley Regional Park Community Interest Company

Initial Comments

The Colne Valley Park CIC exists to maintain and enhance the Colne Valley as the first taste of countryside to the west of London for the benefit of more than three million people who live within 10 miles of the Park. The Park covers an area from Rickmansworth to Staines, across parts of Herts, London, Bucks, Berks and Surrey. The six objectives of the Park are:

1. To maintain and enhance the landscape, historic environment and waterscape of the Park in terms of their scenic and conservation value and their overall amenity.
2. To safeguard the countryside of the Park from inappropriate development. Where development is permissible it will encourage the highest possible standards of design.
3. To conserve and enhance biodiversity within the Park through the protection and management of its species, habitats and geological features
4. To provide opportunities for countryside recreation and ensure that facilities are accessible to all.
5. To achieve a vibrant and sustainable rural economy, including farming and forestry, underpinning the value of the countryside.
6. To encourage community participation including volunteering and environmental education. To promote the health and social well-being benefits that access to high quality green space brings.

The Colne Valley Park CIC objects to this application to create a 500-seat crematorium, dining hall with 157 car and 6 coach parking spaces and upgraded & widened access road in the green belt. This objection is because:

- A. The development is contrary to Green Belt Policy, will harm the Colne Valley Regional Park and the ‘Very Special Circumstances’ for development in the green belt are not met
- B. There is a lack of detail
- C. Mitigation is inadequate
- D. The site is in flood zone 2

More detail on points A to C is given below.

A. Very Special Circumstances for development in the green belt are not met. The bullet points given in section 5.3.9 of the Green Belt Assessment are inadequate justification and some, such as “funds in place to ensure deliver”, are simply irrelevant.

- Assessment of contribution of the site to Green Belt purposes is inaccurate and fails to pick up on the role of this site in this green wedge between the Greater London conurbation/Ickenham/Uxbridge and Denham
- This is a fragile, narrow, green gap and the openness of the site is important to the integrity of the Green Belt

- The site is surrounded by open land and not “existing development” as spuriously suggested in para 8.1.2 of the Green Belt assessment: “The Site does not contribute to the first four NPPF Green Belt purposes due to the extent of existing development already surrounding the Site”.
- Presence of buildings on the site does not reduce its importance in Green Belt terms and emphasises the value of retaining what openness remains
- The site is an important part of the valley floor landscape. As referenced in the South Bucks Landscape Character Assessment, 2011 ‘Colne Valley Floodplain’ and Colne Valley Park Landscape Character Assessment 2018 ‘Colne Valley Floodplain’ and Colne Valley Park Landscape Character Assessment 2018 ‘Colne Valley: Rickmansworth to Uxbridge’.
- The proposal involves significant built form and creeping urbanisation in a sensitive green gap/valley floor
- In view of the conflict with Green Belt policy the investigation into alternative sites is inadequate. The development would serve a very large catchment which leads to a very wide area of search
- There is no convenient public transport to the site and the proposal would involve a large number of car trips contributing to the intrusion and poor sustainability credentials. We don’t believe that the claims about taxis and coaches would address this issue.
- We dispute the claim that the loss of open-ness of the greenbelt is only internal to the site. Open-ness has to be judged based on the specific circumstances. The development is a permanent change to the site and locality. Trees and vegetation are temporary and also change with the seasons. The site occupies a position in the heart of the green gap and in the heart of the river valley where openness is a key ingredient to character of the Green Belt and the Colne Valley Regional Park. The openness of the site itself is an important consideration and relevant to the application of GB policy, not just what may or may not be seen from more distant views – this is a long-established principle in the Green Belt.

This is the wrong site for such a large development and the impact would set a very unfortunate precedent.

B. There is a lack of detail. For example, the ecological assessment is insufficient for a development of this size. No species surveys appear to have been undertaken, the ‘Preliminary Ecological Appraisal Survey’ only refers to a desk study, a phase 1 habitat survey and a preliminary bat roost assessment. We could not find any specific reference to how the limited biodiversity and access improvements proposed will be maintained in the future.

C. The mitigation is inadequate for a development of this size in the green belt. The ‘technical note: Biodiversity Metric’ describes the habitat on site as in ‘sub optimal (poor)’ condition and gives a score of 43.97 biodiversity units. This low value is because the current site management regime of moving grassland vegetation is detrimental to biodiversity. This low baseline results in very little intervention to give the required biodiversity gain of 6.9%. Woodland/hedgerow management, a small amount of tree planting and ditch enhancements is, in our view, completely inadequate to mitigate for a development of this

size in the green belt.

The development does not make a contribution to the Colne Valley Regional Park's six objective (listed above). Opportunities for improved mitigation are not being taken. For example:

- There should be significantly more biodiversity enhancement both on site and off site in the adjacent Denham Country Park.
- The previous planning application from the Anoopam mission (ref 1700090FUL) to create an access point to Denham Court Drive has resulted in a significant increase in flytipping due to poor design. This current planning application should take the opportunity to improve the design layout of the junction with Denham Court drive to 'design out' this recently created problem.
- The proposed path and bridge to Denham Country Park should a) have a clear commitment that this will be freely open to and accessible for the public b) be designed to link in with, complement and enhance the existing rights of way network in the Colne Valley Regional Park. This could be achieved through links to the proposed Lea Quarry paths to the west and across the Colne to the Grand Union Canal to the east. We are disappointed that the Anoopam Mission and their neighbouring land owners on both sides (Boyer Leisure) are working in silos which is resulting in failure to take these opportunities which could strengthen any future planning applications.

Revised Comments

The revised Landscape Strategy including the 'Colne Loop Path' allows for a potential future connecting link but on its own does not create the connectivity that we refer to in our January letter and as recorded in the note of our meeting of February (contained within document 19007/D02 L1).

We note the point made that this path and bridge over the Colne are outside the proposers land but we point out that if the proposers of a development of this large scale in the green belt and Colne Valley Regional Park are able to negotiate with their neighbouring landowner for vehicle access then it is also possible to negotiate for pedestrian access to improve the network of Public Rights of Way in the Colne Valley in a meaningful way rather than simply creating more 'cul de sac' paths.

This revised scheme improves the existing application but does not create any meaningful new connectivity into the footpath network or overcome the serious policy objection to building in the Green Belt and the loss of openness. We stand by our objection to the scheme made in our letter of January 2020.

If the Council is minded to approve if they accepted the Very Special Circumstances argument it would need a S106 to achieve all the biodiversity improvements and to ensure the footpaths were provided and maintained for use of the general public in the long term. We would also like to see a developer contribution towards implementation of the Colne & Crane Valley's Green Infrastructure Strategy in the area of the Colne Valley Regional Park near the development.

Additional comments in respect of potential financial contributions:

We are still of the opinion that the Very Special Circumstances for building in the Green Belt have not been justified. However, should the council consider otherwise and that a recommendation be made for approval then we would expect to see contributions made to improvements to offset harm to the green belt in line with para 138 of NPPF and which mitigate the harm of building in the Colne Valley Regional Park.

In our phone conversation you asked for how a financial contribution could implement the Colne & Crane Green Infrastructure Strategy within 1 mile of the development site. This could include.

1. **Connecting path to enhance the rights of way network.** In line with the formal letters submitted - our priority is to a connecting path with a new bridge over the Colne and onwards towards the Grand Union Canal. This will create a new attractive circular route and link the existing path networks at Denham Country Park with the paths due to be put in as part of the Lea Quarry restoration then to the existing path network connecting to the Grand Union Canal. Most of the infrastructure is already in place, is required to be provided by others or is within the land controlled by the developer. The new elements required would be:
 - Footbridge over the Colne. Cost (inc EA permission, footings, design, supply and installation) . Estimated costs likely to be in the region of £40-60,000. If this is the approach taken to mitigation we would expect the developer to progress this, obtain permissions and install the bridge.
 - Path connection from Boyers land to the east (approx. 150m) and to the west (approx. 10m). Hoggin or similar surfacing would be approximately £40/m
 - Costs of reaching agreement with adjacent landowner. Tbc.
 - Maintenance of path across Boyers Land to the east and west. Could be undertaken as part of the Countryside Management Service (see below)
 - Maintenance of bridge and paths through Anoopam site. Responsibility of the developer or annual allocation provided to a third party
2. **Countryside Management Service** (project X from page 30 of the Colne Green Infrastructure Strategy). To work on area within 1 mile of the Anoopam Mission including delivery of GI Strategy projects: A (Colne Valley Trail), I (Water quality), J (Water visibility) ,M (invasive species removal) ,P (Communities/'Friends of...' groups),R (open spaces maintenance/improvement) ,S (Farmland biodiversity),W (canal improvements), NC214 (Wetland enhancement @ Denham Country Park) and NC217 (Oakside Open Space). Could include community engagement and volunteering. Assuming 1-3 days/week full time equivalent including on-costs, tools, equipment, materials this will cost between £15,000 to £35,000/year for a period of 3-10 years to start from first spade in the ground should the development application be approved by the council.

Should the Anoopam Mission be looking for a means to manage biodiversity on site, item 2 could be extended to management & maintenance of the woods, watercourses and bankside vegetation on the Anoopam Mission site

Other Representations

24 sets of comments have been received which make representations in support of the proposal. These include comments from various Hindu community groups and the MP for Harrow, Bob Blackman.

These supportive comments can be summarised as follows:

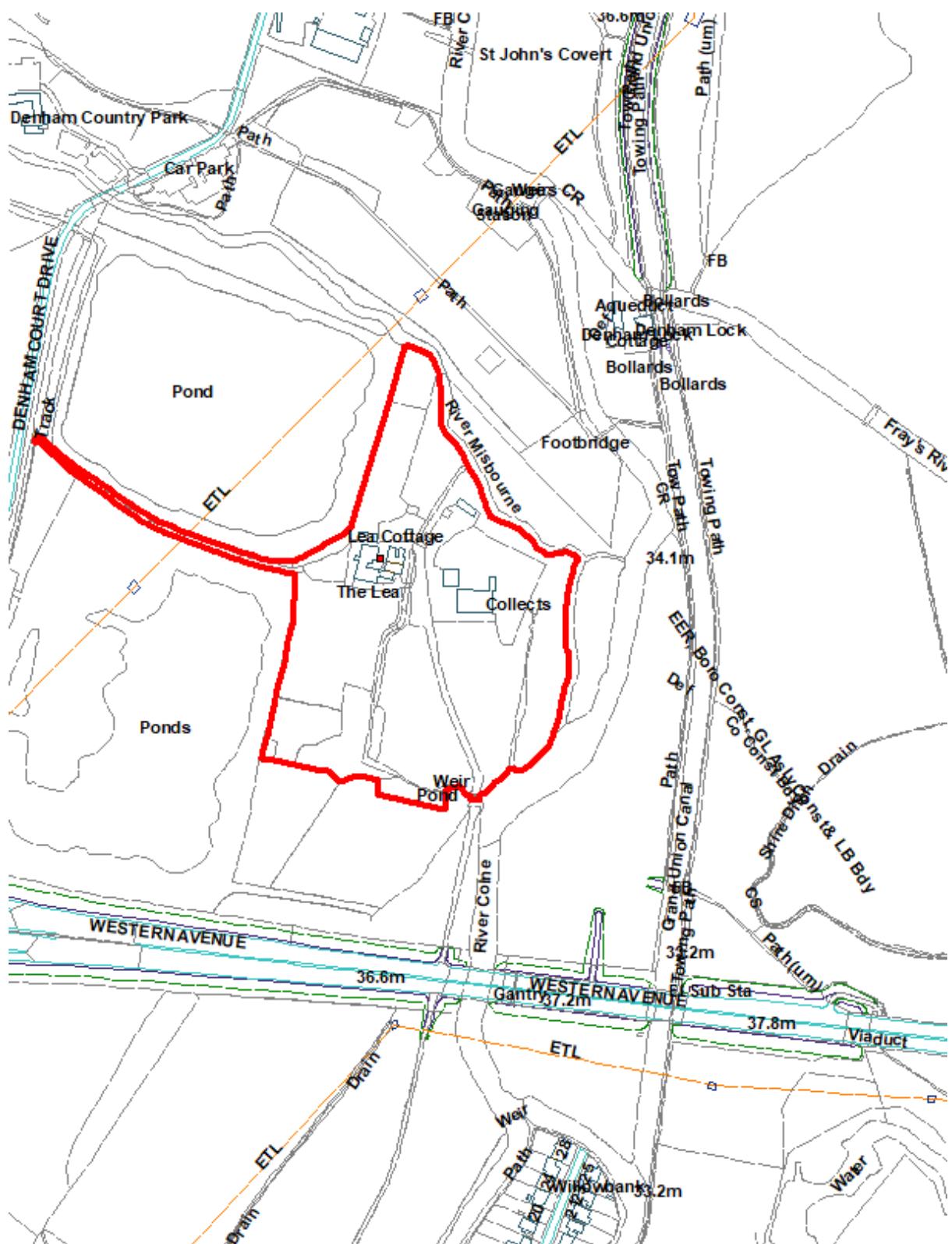
- Lack of similar facilities within the UK/clear community need,
- Specific facilities are required to observed Hindu rituals, current arrangement does not allow for this,
- Well located, within the grounds of an existing temple, close to many Hindu communities and easily assessable from the A40,
- Design is considered as high quality integrating well with the existing landscape,
- Considered unlikely that the site will be seen from nearby properties,
- The environmental impact has been well assessed.

In addition petitions have been submitted in support of the proposal with in excess of 2000 signatures.

2 sets of comments have been received objecting to the proposal:

- Land ownership, certificate and access consent issues relating to the access track.
- The access track is located within a site with a valid permission for mineral extraction and should have been submitted to the Mineral Planning Authority.
- Amenity of the new footpath (part of quarry remediation works) adversely affected as this is to be the proposed main access.
- Enjoyment of the lakes by anglers and footpath by walkers will be adversely impacted due to intensification.
- Widening of the track and hard surfacing associated with the additional level of traffic will result in harm to the openness of the Green Belt.
- Access to the site is from the A40 currently, questioned why this needs to be changed to Denham Court Drive.
- Lack of prior consultation with neighbouring land owners.
- Conflict with existing land use at lakes.
- The new crematorium would be visible and audible.

APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Buckinghamshire Council, PSMA Licence Number 100023578