



## Report to East Area Planning Committee

---

<b>Application Number:</b>	PL/21/1281/FA
<b>Proposal:</b>	Demolition of unlisted buildings in a conservation area including extensions to the rear and side of the church, two residential properties and outbuildings, conversion and alteration of the church to 6 flats, new side access ramp, erection of an apartment building comprising 6 flats, a terrace of 3 houses and 2 semi-detached mews houses, parking, access and landscaping
<b>Site location:</b>	Gold Hill Baptist Church, Gold Hill East, Chalfont St Peter, Buckinghamshire, SL9 9DG
<b>Applicant:</b>	Gold Hill Baptist Church and Gold Hill Topco Ltd
<b>Case Officer:</b>	Emma Showan
<b>Ward affected:</b>	Chalfont St Giles
<b>Parish-Town Council:</b>	Chalfont St Peter
<b>Valid date:</b>	16 April 2021
<b>Determination date:</b>	19 November 2021
<b>Recommendation:</b>	Defer to approve, following completion of a legal agreement

### 1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 This application proposes the conversion of the existing church to 6 flats, the erection of 2 semi-detached mews houses to the north of the church, the erection of a terrace of 3 houses to the south of the church fronting Austenwood Lane and the erection of an apartment building comprising 6 flats located to the north of the church. The main issues for consideration are the impact of the built form on the character of the area; neighbouring amenity; drainage; and parking/highway implications. The site already has planning permission (ref. CH/2016/1749/FA) for its partial redevelopment and conversion to provide 13 dwellings. The current proposal is for an alternative scheme and it is noted that the Parish Council supports the proposal. An assessment of the application, in line with involvement of statutory consultees, concludes that it is acceptable, subject to the inclusion of relevant conditions.

- 1.2 The application has been called for determination by the Planning Committee by Councillor Jackson.
- 1.3 The recommendation is to grant conditional permission.

## **2.0 Description of Proposed Development**

- 2.1 The application site concerns the former site of Gold Hill Baptist Church which is located within the built-up area of Chalfont St Peter. The site occupies a corner plot location to the north side of Austenwood Lane and the east side of Gold Hill East. Opposite the application site, to the other side of Gold Hill East, is located Goldhill Common, a public open space.
- 2.2 The site lies within the 'Park Edge' character typology, as set out in the Chiltern & South Bucks Townscape Character Study, 2017. The main characteristics of these areas are: buildings facing onto open space; mix of housing types; plots are narrow fronted and closely spaces; building lines are slighted staggered; and front gardens vary in width. In terms of built form, the majority of buildings are two-storey and although usually historic in character, they vary in architectural approach.
- 2.3 The site also falls within the Goldhill Common Conservation Area and adjacent to an Established Residential Area of Special Character to the north of the site.
- 2.4 The application proposes the conversion of the existing church to 6 flats, the erection of 2 semi-detached mews houses to the north of the church, the erection of a terrace of 3 houses to the south of the church fronting Austenwood Lane and the erection of an apartment building comprising 6 flats located to the north of the church, along with parking, access and landscaping. It would involve the demolition of built form including the hall to rear of the Church, the two residential properties within the site, as well as the addition to the north of the church.
- 2.5 In terms of the site layout, it is proposed to erect a semi-detached pair of mews houses to the north of the site where they would be sited adjacent to an existing row of terraced cottages. The dwellings would be sited in line with these properties and would have a road frontage. Adjacent to this, the existing church would be converted to provide six residential apartments. To the south of the site, fronting Austenwood Lane, a row of three houses would be erected (these would be located on the footprint of The Manse). Finally, a two-storey apartment building, with a further floor in the roofspace, would be erected within the site, towards the northern end. It would be located on the footprint of the existing hall which is to be demolished. Parking and waste and recycling stores would be provided to the rear of the buildings fronting the highway and access to the site would be from Austenwood Lane.
- 2.6 The proposed conversion of the church would allow for the provision of six residential units. Each unit would contain two-bedrooms, bathrooms and an open plan living/kitchen/dining area. Communal bin and bike storage would be provided to the rear of the building. The character and external appearance of the church would be retained, with the existing sprawling two-storey extension to the north of the building being demolished.

- 2.7 An L-shaped apartment block would be located to the north of the site, on the footprint of the existing hall to be demolished. It would provide a one-bedroom, accessible ground floor unit, with a further three one-bedroom units and two two-bedroom units on the first floor and within the roofspace. The building would provide undercroft parking at ground level. It would be characterised by brick facing elevations and a hipped roof incorporating two projecting gable ends and flat roof dormers.
- 2.8 Two semi-detached mews houses would be provided to the north of the site, adjacent to the existing row of dwellings fronting Gold Hill East. This pair of dwellings would be two-storey with a gable roof and joint chimney positioned in the middle of the ridge. They would be simply designed to reflect the character of the adjacent properties and would provide one-bedroom at first floor level. They would be sited to reflect the front and rear elevations of the existing cottages sited directly adjacent (to the north) of the site.
- 2.9 Three link-detached terraced houses would be erected to the south of the site where they would have a road frontage onto Austenwood Lane. These dwellings would be part-two, part-three storeys and would provide three-bedrooms each. The dwellings would be a mix of traditional and contemporary in appearance, incorporating gabled roofs with lower connecting flat roof sections and mixed facing materials comprising bricks and render.
- 2.10 The proposal also seeks the demolition of built form including the large hall to the rear of the Church, the two residential properties within the site, as well as the addition to the north of the church.
- 2.11 Associated parking and landscaping alterations are proposed.
- 2.12 The following documents have been submitted in support of the application:
- Affordable Housing information
  - Arboricultural Impact Assessment
  - Design & Access Statement (7 parts)
  - Ecology Report
  - Heritage Impact Assessment
  - Planning Statement & Community Need Assessment
  - Schedule of Accommodation
  - Statement of Significance
  - SuDS Assessment
  - Transport Statement
  - Tree Report
  - Viability Statement
  - Plans and details of consented scheme (CH/2016/1749/FA)
- 2.13 Amended plans have been submitted during the course of this application, following discussion with the Historic Buildings Officer. As part of the amendments, the row of terraced dwellings to the south of the site was reduced from four units to three units. No other alterations have been proposed during the course of the application.

### **3.0 Relevant Planning History**

- 3.1 The site has a long planning history, of relevance to the current proposal are the following applications
- CH/2016/1749/FA - Redevelopment of site to create thirteen dwellings comprising change of use of church (Use Class D1) to form 6 apartments (Use Class C3) incorporating alteration to roof, erection of 4 new dwellings, refurbishment of existing dwelling and two flats, and associated landscaping and parking; conditional permission (not implemented).
  
  - CH/1975/2215/FA -Single storey side extension; conditional permission.
  
  - CH/1986/2240/OA - Erection of building to provide sheltered accommodation for the elderly and ancillary parking area; conditional permission.
- 3.2 Also relevant is another planning application at Jarvis (Randall Building), Church Lane, Chalfont St Peter:
- CH/2016/1746/FA - Demolition of existing industrial building; erection of a community building, parking and associated works; conditional permission (implemented).
- 3.3 Officer Note: The scheme granted approval under reference CH/2016/1749/FA was permitted on the basis that an alternative location was found for the lost community asset, in this instance Goldhill Baptist Church. Permission was granted under reference CH/2016/1756/FA for a new community building at the Randall Building site, to serve the Baptist Church, and a legal agreement was signed and agreed to ensure that this permission was implemented prior to the re-development of the existing Baptist Church site. The replacement community building approved under CH/2016/1756/FA has now been implemented, but the scheme for the re-development of the original site was never implemented. The current application proposes a revised version of this scheme.

### **4.0 Summary of Representations**

- 4.1 Comments from Parish Council: 'Support the application and applaud the style and design. Appreciate the thoughtful landscaping.'
- 4.2 Comments in respect of amended plans: 'Request the height of the new block of 6 flats be reviewed given the objections raised regarding overdevelopment, overlooking, loss of light and privacy. Parking does seem 'contrived' and inadequate given the larger number of dwellings proposed.'
- 4.3 31 letters of objection to the original plans.
- 4.4 5 letters of objection in respect to the amended plans.

- 4.5 Objection from The Russets Residents Association.
- 4.6 Summary of representation comments is included in the Appendix section of this report.

## **5.0 Policy Considerations and Evaluation**

- National Planning Policy Framework (NPPF), 2021.
- National Design Guidance, 2019.
- Core Strategy for Chiltern District - Adopted November 2011.
- Chiltern District Local Plan adopted 1 September 1997 (including alterations adopted 29 May 2001), consolidated September 2007 and November 2011.
- Affordable Housing Supplementary Planning Document (SPD) - Adopted 21 February 2012
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule.
- Burnham Beeches Special Area of Conservation (SAC) Mitigation Strategy, March 2020
- Chalfont St Peter Neighbourhood Plan.
- Buckinghamshire Parking Guidance SPD.

### **Principle and Location of Development**

Core Strategy Policies:

CS1 (The spatial strategy),

CS2 (Amount and distribution of residential development 2006-2026),

CS3 (Amount and distribution of non-residential development 2006-2026)

Local Plan Saved Policies:

H3 (Provision of new dwellings in the built-up areas excluded from the Green Belt (other than in accordance with Policies H2, H4 & H7)),

- 5.1 The application site is located within the built up area of Chalfont St Peter wherein development, including the conversion of existing buildings and erection of new dwellings are acceptable in principle, subject to compliance with the relevant Policies of the Development Plan. The site also lies within the Gold Hill East Conservation Area, where development should preserve or enhance the character or appearance of the area and should preserve the views looking into the area. The northern part of the site also lies within an Established Residential Area of Special Character (ERASC) as defined by Policy H4 of the Local Plan.
- 5.2 It is noted that this application follows the submission and approval of planning permission CH/2016/1749/FA for the redevelopment of the site to create thirteen dwellings, comprising the change of use of the church to form 6 apartments incorporating alterations to roof, erection of 4 new dwellings, refurbishment of the existing dwelling and two flats, and associated landscaping and parking. This permission has not been implemented but it

accepted the principle of the re-development of this site to allow for residential units and so is a material planning consideration in the assessment of this current application. The main difference between the two schemes is the amount of residential accommodation proposed and the site layout, with the original (and approved) scheme proposing the erection of 13 residential units and the scheme currently pending consideration proposing 17 residential units.

5.3 All other relevant Development Plan policies should also be complied with.

### **Community facilities**

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

CS27 (Working for a healthier community)

CS28 (Retaining and improving leisure and recreational facilities)

CS29 (Community)

Local Plan Saved Policies:

CSF2 (Loss of community services and facilities in the built-up areas excluded from the Green Belt)

5.4 Policies CS29 of the Core Strategy, CSF2 of the Local Plan and LC1 of the Chalfont St Peter Neighbourhood Plan (CSPNP) all seek to retain community facilities and refuse applications that result in a loss of community facilities. The site is identified in CSPNP as a 'protected facility' in Table 8.1 item 4. The Gold Hill Baptist Church is an important community facility in providing opportunities for church worship and a range of other activities including youth groups, parent and toddler groups, food bank and children's parties. The Church is relocating to a site in Church Lane adjoining the centre of Chalfont St Peter, for which planning permission was granted in June 2017 (application reference CH/2016/1746/FA) for the erection of a community hall and this permission has been implemented. As a result, the community use has not been lost but has relocated elsewhere in Chalfont St Peter. This satisfies the requirements of the Development Plan policy in principle.

### **Raising the quality of place making and design**

Core Strategy Policies:

CS4 (Ensuring that the development is sustainable)

CS20 (Design and environmental quality)

Local Plan Saved Policies:

GC1 (Design of development)

GC4 (Landscaping)

GC14 (Access for disabled people to developments used by the public)

H11 (Distance between flank elevation(s) of a proposed multi-storey dwelling and boundary of dwelling's curtilage)

5.5 The development would result in the siting of buildings so that all but the apartment block would have frontages onto the street. The proposed semi-detached news houses to the north-west of the site would have front and rear

build lines broadly in line with the adjacent row of terraced dwellings fronting Gold Hill East, whilst the terraced houses to the south of the site would be sited to follow the curve of the highway and would be set back from the adjacent dwelling to the east also. All of these new buildings would be set back from the street, minimising their prominence and allowing for vegetation and landscaping to be maintained and enhanced. Their siting is considered to be acceptable and would maintain adequate spacing to prevent a cramped and contrived frontage to the development. The mews houses are almost the same as under the 2016 approval and the terraced houses create a better street frontage than the previous approval, where an existing dwelling was instead retained in this position.

- 5.6 The apartment building would be sited within the site, to the rear of the footprint of the hall to be demolished. It would be two storeys in height to eaves level, with further accommodation in the roofspace. There are a lot of buildings sited to the rear of others in this area, and it is part of the wider character. Indeed, a terraced building was previously permitted in a similar location under the 2016 approval. The setback nature of the proposed building, where it sits off of the site boundaries, is such that it is not considered to be prominent and therefore is acceptable, having regard to the character of the area.
- 5.7 The proposed mews houses would have simple frontages, encompassing gable roofs and a central chimney. Their siting, scale and appearance is almost the same as under the 2016 approval and they are considered to be in keeping with the adjacent development along Gold Hill East.
- 5.8 It is proposed to convert the existing church building to allow for the creation of six residential units. This is the same as the 2016 approval, where the church was permitted to be converted into six apartments. The conversion of the church into apartments will lead to the removal of bulky and unsympathetic additions to the building but there would be no other significant alterations to appearance of the building, ensuring that it remains in keeping with the character of the original building.
- 5.9 The row of three terraced dwellings to the south of the site would be more contemporary in their appearance, incorporating a link-attached element, feature glazing and brick and render elevations. The siting of these dwellings away from the roadside would reduce the prominence and would allow for sensitive landscaping. Under the previous scheme, the existing dwelling here was proposed to be retained. The current proposal would result in a better and more defined street frontage. The proposed terrace would be 2.5 storeys, in terms of the eaves level, with the upper floor partly in the roofspace. They would be notably lower in scale than the church building. They would also have narrow frontages, broken up by lower flat roofed sections. As such, they are considered to be of an appropriate scale. The mixed character of development along Austenwood Lane also means that the appearance of the dwellings would also be acceptable in this location.

- 5.10 The proposed apartment building would be two storeys in height to eaves level and would be sited where a row of terraces was previously permitted. It would incorporate small dormers to facilitate habitable accommodation within the roof space. Surface and under-croft parking would also be provided. The overall appearance of the building would be traditional, encompassing brick faced elevations, with gable detailing. Design cues have been taken from other aspects of the development and the building is considered to integrate with the surrounding buildings in terms of its appearance. Given the location of the site in the built up area and the prevalence of buildings behind others in the area, it has already been stated that the erection of the apartment building in this location and of these proportions would not be out of character or harmful to the local area.
- 5.11 Given the location of the site within a Conservation Area, the Historic Buildings Officer has been consulted on this application. The scheme has been amended since their initial comments and the Heritage Officer has confirmed that the proposal would cause no harm to the significance of the heritage asset - i.e. the setting of the Conservation Area. The number of units within the terrace has been reduced, resulting in a smaller scale building. A number of the overly contemporary design elements have been omitted, again reducing the prominence of the building. Furthermore, the revised design has also reconsidered the external materials to better reflect the surrounding context. Whilst some contemporary elements have been retained, such as the fenestration, these are now subtler in their approach.
- 5.12 It is noted that a number of representation letters have referred to a previous application for a garage at an adjacent property which was considered to be too high by the Local Planning Authority and was reduced from a proposed height of 6.6 metres to 5.2 metres (CH/2006/1048/FA) in order to be acceptable. This is noted, however each application must be determined on its own merits and in this instance, it is considered that the proposed arrangement of dwellings and their scale and appearance are acceptable, given the material circumstances of the site and the nature of the development proposed.

#### **Amenity of existing and future residents**

Local Plan Saved Policies:

GC3 (Protection of amenities)

H12 (Private residential garden areas)

- 5.13 Given the siting of the proposed mews houses, the terraced dwellings and the converted church, in relation to adjacent neighbouring buildings, it is considered that these buildings would not be harmful to neighbouring amenities. Adequate spacing and appropriate window placement will prevent intrusion and ensure that these aspects of the proposal are not harmful to neighbouring amenities. A condition preventing the insertion of windows in the north flank elevation of the proposed mews house will also ensure that there is no intrusion into the adjacent property's garden.



- 5.14 The proposed apartment building would be sited within the site so that it has a flank-to-rear relationship with the existing two-storey dwellings fronting Gold Hill East and a flank-to-front relationship with the dwellings accessed off of the private access from Austenwood Lane. The topography of the site is such that the apartment block would be sited at a higher level than the dwellings fronting Gold Hill East.
- 5.15 Third-party representation letters have raised concerns about the impact of the apartment building on neighbouring amenities, particularly on those of the properties fronting Gold Hill East. Concerns have been raised with respect to intrusion, the building appearing overbearing, and loss of light. Taking these areas in turn, in terms of intrusion, no windows are proposed above ground floor in the west projection of the apartment building that would face towards the properties fronting Gold Hill East. This will prevent intrusion and overlooking and this relationship can be maintained in perpetuity, should planning permission be granted, via a condition preventing the future insertion of windows in this elevation. The other windows in the west flank elevation, above the undercroft parking area, would face towards the proposed mews houses and it is considered that adequate separation will be retained between these buildings to ensure a satisfactory level of amenity is retained.
- 5.16 With respect to this building appearing overbearing when viewed from the rear windows and amenity areas of the properties fronting Gold Hill East, it is noted that the topography of the site means that the apartment block would be sited at a higher land level than the adjacent neighbouring properties. However, approximately 5 metres would separate the flank elevation of the apartment building from the common boundary and 11 metres would separate the flank elevation of the apartment building from the closest rear projection of the dwellings fronting Gold Hill East. In addition to this, the apartment building would be two storeys high to the eaves level, with the third floor accommodation being provided within the roof space. The overall building would have a height of 10 metres, with an eaves height of 5.7 metres, with the roof shape closest to Gold Hill East being a hipped roof. This roof shape would reduce the bulk of the proposal closest to the dwellings at Gold Hill East. It is considered that the separation distances involved, proposed height and roof shape are such that the proposal will not appear overbearing when viewed from the rear spaces of the properties fronting Gold Hill East. Whilst these properties would now have a change of view and would have a view of the apartment building, it is not considered that this relationship would be harmful, given the urban setting. The urban setting means that it would not be unusual to have views of other buildings from gardens or windows, and a view of a building is not in of itself harmful. In this instance, the absence of windows in the closest elevation and the separation distances involved means that the proposal is not considered to be overbearing.
- 5.17 Loss of light is another concern that has been raised. A right to light is protected under the 'adverse possession' area of common law and in England and Wales by the Prescription Act 1832. Whilst that is a civil matter, overshadowing and loss of light is governed, in policy terms, by Policy GC2 of

the Local Plan. This states that the Council will seek to ensure that the design and layout of proposed buildings enables adjoining land or buildings to be protected from significant loss of sunlight and daylight and that sufficient sunlight and daylight reaches into, between, and around, proposed building to existing buildings. In this instance, the proposed apartment building would be sited to the east of the dwellings fronting Gold Hill East and therefore there would be some minor shadowing over the gardens fronting Gold Hill East in the early mornings. However, following the direction of sun travel, sunlight from the south and west directions over the course of the day, and indeed throughout the whole day in Summer, when the sun is higher, will largely remain as existing, ensuring that there is adequate light to neighbouring properties. Furthermore, the separation distances involved are such that the proposal would not block light to the windows of existing neighbouring properties.

- 5.18 The apartment block would also have a flank-front relationship with a row of dwellings accessed via a driveway of Austenwood Lane. Approximately 16 metres would separate the flank elevation of the proposed apartment block to the nearest neighbouring property on this lane and this is considered to be a satisfactory separation distance to prevent intrusion and an overbearing relationship.
- 5.19 In term of amenity space for future occupiers of the development, the occupiers of the proposed mews houses would be served by rear garden depths of 8 metres which is comparable to others in this row of dwellings, and the same as previously permitted in 2016. The terraced dwellings would each have a private rear garden depth of 6.5 metres and the apartment block and converted church would benefit from communal landscaped grounds, which is similar to the previously approved scheme. Given the size of the residential units proposed, it is considered that the provision of amenity space on site is acceptable, particularly given that the site is located adjacent to Gold Hill East which provides a large area of public open space. The residential units themselves will all provide sufficient space and habitable rooms will be served by windows, allowing for good levels of light and outlook.
- 5.20 In terms of waste provision, the residential dwellings would each provide for adequate space within their curtilage for the storage of waste and recycling receptacles. The apartments would be served by a waste and recycling store. The Waste Officer has reviewed the proposed arrangements and confirmed that collection vehicles will be able to enter the site and collect from the bin stores without space or access being an issue.

### **Transport matters and parking**

Core Strategy Policies:

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

CS26 (Requirements of new development)

Local Plan Saved Policies:

TR2 (Highway aspects of planning applications)

TR3 (Access and road layout)

TR11 (Provision of off-street parking for developments)

TR14 (Retention of existing areas of off-street vehicle parking)

TR15 (Design of parking areas)

Buckinghamshire Parking Guidance SPD.

- 5.21 The Council's parking standards are set out within the Buckinghamshire Parking Guidance SPD. In accordance with this document, in a Zone B location, the standard is 40 spaces to serve the development.
- 5.22 The site plan shows the provision of 36 parking spaces, which is a slight deficiency of four spaces. It is noted the previously approved scheme provided 26 spaces. Given the sustainable location of the site, within walking distance of the town centre amenities and close to local bus routes, it is considered that the minor shortfall in parking is acceptable. There is unrestricted parking locally and the minor overspill of vehicles can be accommodated on the local highway network, if required. There is adequate space within the site to accommodate trades vehicles, waste vehicles and emergency service vehicles. For these reasons, a reason for refusal based on a deficiency of four parking spaces could not be substantiated at appeal, given the sustainable location of the development. It is also noted that electric vehicle charging points would be incorporated as part of the development and this can be secured by way of condition, which is an improvement over the previously approved scheme.
- 5.23 In addition, Policy GC1(e) relates to the appearance of car parking to ensure that the layout of development is not dominated by access roads or parking. The parking for the development is located within a central courtyard which ensures that the parking is not visible from the street scene or public realm. The scale and nature of the parking area is considered acceptable and in line with part (e). It is a better layout than the previously approved scheme in 2016, as two dwellings were proposed to be retained under that scheme, and the parking fitted in around them. Now the central part of the site has a more coordinated approach to redevelopment and the parking areas are more broken up and interspersed with considerably more trees and landscaping.
- 5.24 In terms of the access arrangements, vehicular access would be taken solely from Austenwood Lane. The Highway Officer has reviewed this arrangement and raised no objection regarding the impact of the proposal on the local highway network.

### **Ecology**

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

CS24 (Biodiversity)

- 5.25 Core Strategy Policy CS24 states that the Council will aim to conserve and enhance biodiversity and where development proposals are permitted, provision will be made to safeguard and where possible enhance any ecological interest.
- 5.26 The Applicant has submitted an Ecological Impact Assessment which considers the impact of the proposal on protected species. It states that no badger or nesting birds were identified and no bats have been found to be roosting

within the buildings, though foraging and commuting behaviour was observed in relation to trees. The report concludes that the proposed no development would have no significant ecological effects as long as the mitigation measures recommended within the report are implemented. These can be secured by way of a planning condition, should planning permission be granted. Appropriate conditions can also ensure that biodiversity net gain is achieved on site, and this has been agreed with the Ecology Consultant.

- 5.27 In addition, the site is located within the 5.6 km zone circling Burnham Beeches Special Area of Conservation (SAC). Due to the increase in dwellings on this site, it is considered that the proposal would likely result in increasing recreation pressure on the SAC and so mitigation measures are considered necessary to rule out the adverse effects on the integrity of the SAC. To this end, in line with the guidance from Natural England, the Applicant would need to make a financial contribution towards the Burnham Beeches Access Management Scheme or any subsequent scheme that replaces this. This financial contribution can be secured by way of a legal agreement.

#### **Environmental issues**

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

CS20 (Design and environmental quality)

CS24 (Biodiversity)

Local Plan Saved Policies:

GC4 (Landscaping)

- 5.28 The submitted site plan shows the provision of landscaping and tree planting both to the front and within the site. Existing hedging is also shown to be retained. The provision of this landscaping and planting can be secured by way of condition to ensure that it is implemented appropriately.

#### **Flooding and drainage**

Core Strategy Policy:

CS4 (Ensuring that development is sustainable)

Local Plan Saved Policy:

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

- 5.29 The applicant has provided clarification on the proposed revisions to the site plan, including details of the revised impermeable and permeable areas on site. It is understood that one dwelling has been removed from the development proposal and that the layout of the parking has been revised. Section 2 of the SuDS Strategy Addendum outlines that in total the impermeable area of the site has reduced from 1,765m<sup>2</sup> to 1758m<sup>2</sup>. It is therefore considered that no further calculation detail is required at this stage of the planning process; the previous storage calculations were based upon a slightly larger impermeable area. The SuDS Officer has raised no objection to the proposal, subject to the inclusion of planning conditions.

#### **Affordable Housing and Housing Mix**

Core Strategy Policies:  
CS8 (Affordable housing policy)

- 5.30 Policy CS8 of the Core Strategy sets out that on sites that contain 15 dwellings or more, at least 40% of dwellings within the development shall be affordable. The proposal results in a net gain of 15 residential units and therefore, in accordance with Policy CS8, 6 of these units should be affordable.
- 5.31 The Council recognises that there will be occasions where it is not financially viable for developers to meet the targets set out in the policy but where these targets cannot be met, the Council will require clear evidence to demonstrate why it is not viable to do so. In this regard, a financial viability appraisal has been submitted with the application, which concludes that the development cannot support contributions towards planning obligations or affordable housing.
- 5.32 In consultation with an independent adviser, it is considered that it would be difficult to defend a reason for refusal on the ground that the scheme would be able to contribute to on-site or off-site affordable housing. However, if planning permission is forthcoming, a viability review mechanism to be carried out prior to the implementation of any approved scheme should be included in a Section 106 agreement in accordance with government guidance and the RICS guidance on viability in planning. This approach has been adopted with respect to the determination of other applications.

## **6.0 Weighing and balancing of issues / Overall Assessment**

- 6.1 The proposal follows a previous planning permission in 2016 for the redevelopment and conversion of this site. The current scheme is an alternative proposal.
- 6.2 As before, it will lead to the relocation of the Baptist Church to a site in the centre of Chalfont St Peter, and a S.106 legal agreement is proposed as part of this application to ensure that this happens at an appropriate time. As such, the proposal would not result in the loss of the community facility in the village and is therefore in line with Policy CSF2 of the Local Plan and Policy CS29 of the Core Strategy.
- 6.3 The conversion of the Chapel into apartments is the same as previously permitted. It will lead to the removal of bulky unsympathetic additions to the building and there are no other significant alterations to its appearance. The proposed new dwellings have been sensitively designed and are appropriate in terms of scale and appearance ensuring there will be no undue impact on the character of the area of the setting of Conservation Area.
- 6.4 Overall, the proposal complies with the relevant Development Plan policies and a grant of conditional planning permission is recommended, subject to the prior completion of a legal agreement.
- 6.5 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

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

## **7.0 Working with the applicant / agent**

7.1 In accordance with Paragraph 38 of the NPPF (2021) the Council approach decision-taking in a positive and creative way, taking a proactive approach to development proposals focused on solutions and working proactively with applicants to secure developments.

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

## **8.0 Recommendation: Application PL/21/1281/FA be delegated to the Director of Planning, Growth & Sustainability to approve, subject to conditions and the satisfactory prior completion of a Section 106 Agreement. If the Section 106 Agreement cannot be completed the application be refused for such reasons as considered appropriate. Subject to the following conditions:-**

1. The development to which this permission relates must be begun before the expiration of three years from the date of this permission.  
Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 (1) of the Town & Country Planning Act 1990, as amended.
2. Prior to the commencement of any works on site, detailed plans, including cross section as appropriate, showing the existing ground levels and the proposed slab and finished floor levels of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. 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 and the amenities of neighbouring properties.
3. Before any construction work commences above slab level, details of the facing materials and roofing materials to be used for the external construction of the

dwelling hereby permitted and any additional hard landscaping within the site shall be submitted to and approved in writing by the Local Planning Authority. Any new hardstanding shall either be of a permeable surface, or shall allow for natural drainage within the site. The development shall be implemented in accordance with these approved details.

Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality or results in surface water flooding.

4. Prior to occupation, full details of the means of enclosure to be retained or erected as part of the development including those between the individual gardens of the approved units and on the boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. The means of enclosure shall then be erected and maintained in accordance with the plans approved by the Local Planning Authority.

Reason: To safeguard, as far as possible, the visual amenities of the locality and the amenities of the adjoining properties and approved dwellings.

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

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

6. 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.

7. Prior to the occupation of any dwelling hereby approved, the existing means of access shall be altered in general accordance with the approved drawing and constructed in accordance with the Buckinghamshire Council guide note "Commercial Vehicular Access Within the Public Highway".

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

8. Prior to occupation, a scheme for parking and manoeuvring and the loading and unloading of vehicles in accordance with Buckinghamshire Council's Buckinghamshire Countywide Parking Guidance policy document shall be submitted for approval in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and that area shall not be used for any other purpose. For the avoidance of doubt this shall include details of the EV charging within the site.  
Reason: To enable vehicles to draw off, park, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.
9. Prior to the commencement of any works on the site, a Construction Traffic Management Plan detailing the management of construction traffic (including vehicle types, frequency of visits, expected daily time frames, use of a banksman, on-site loading/unloading arrangements and parking of site operatives vehicles) shall be submitted and approved in writing by the Planning Authority in consultation with the Highway Authority. Thereafter, the development shall be carried out in accordance with such approved management plan.  
Reason: This is a pre-commencement condition as development cannot be allowed to take place, which in the opinion of the Highway Authority, could cause danger, obstruction and inconvenience to users of the highway and of the development.
10. No development shall take place until full details of soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include trees to be retained showing their species, spread and maturity and include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. These works shall be carried out as approved within the first planting season following the first occupation of the development or the completion of the development whichever is the sooner.  
Reason: To help the development integrate with the character of the area and ensure biodiversity net gain on site.
11. Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority.  
Reason: To help the development integrate with the character of the area and ensure biodiversity net gain on site.
12. No development shall take place until details of the measures to provide at least 10% of the energy supply of the development 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 then be installed in accordance with the approved details prior to



the first occupation of any part of the development hereby permitted and shall thereafter remain operational at all times.

Reason: To comply with the Government's policies on climate change and renewable energy generation.

13. Prior to occupation, the waste and recycling bin storage and bicycle storage shall be implemented in accordance with the approved plans.

Reason: To provide satisfactory amenities for future occupiers.

14. No works other than demolition shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, 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 Ground investigations including:

o Infiltration rate testing in accordance with BRE365, including supporting trial pit logs and locations

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 as outlined in paragraph 080 of the Planning Practice Guidance

o No infiltration within the made ground

o An investigation into the viability of including active rainwater harvesting systems within the scheme, where necessary justification for exclusion must be provided

o Calculations in accordance with BS EN 16941-1:2018, where applicable

o SuDS components including, but not limited to, permeable paving, rain gardens and tree pits

o Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index; priority must be given to above ground 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 Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components

o Full construction drawings of all SuDS and drainage components

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.

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.

15. 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-built drawings and 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 National Planning Policy Framework (2021).

16. 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".
  - 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.
  - 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: In the interests of improving biodiversity in accordance with NPPF and Core Strategy Policy 24: Biodiversity of the Chiltern District Core Strategy and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.
17. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development.

The content of the LEMP shall include the following.

  - a. Description and evaluation of features to be managed.
  - b. Ecological trends and constraints on site that might influence management.
  - c. Aims and objectives of management.
  - d. Appropriate management options for achieving aims and objectives.
  - e. Prescriptions for management actions.
  - f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - g. Details of the body or organization responsible for implementation of the plan.
  - h. Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of improving biodiversity in accordance with NPPF and Core Strategy Policy 24: Biodiversity of the Chiltern District Core Strategy and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

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

**List of approved plans:**

<u>Received</u>	<u>Plan Reference</u>
29 Mar 2021	372-PL-203-00 - THE CHAPEL - PROPOSED RO
29 Mar 2021	372-PL-208-00 - APARTMENTS - PROPOSED GR
29 Mar 2021	372-PL-209-00 - APARTMENTS - PROPOSED FI
29 Mar 2021	372-PL-210-00 - APARTMENTS - PROPOSED SE
29 Mar 2021	372-PL-211-00 - APARTMENTS - PROPOSED RO
29 Mar 2021	372-PL-212-00 - THE MEWS - PROPOSED GROU
29 Mar 2021	372-PL-213-00 - THE MEWS - PROPOSED FIRS
29 Mar 2021	372-PL-214-00 - THE MEWS - PROPOSED ROOF
29 Mar 2021	372-PL-215-00 - PROPOSED BIN BIKE STORES
29 Mar 2021	372-PL-300-00 - THE CHAPEL - PROPOSED NO
29 Mar 2021	372-PL-301-00 - THE CHAPEL - PROPOSED EA
29 Mar 2021	372-PL-302-00 - THE CHAPEL - PROPOSED SO
29 Mar 2021	372-PL-303-00 - THE CHAPEL - PROPOSED WE
29 Mar 2021	372-PL-304-00 - TERRACED HOUSE 1 - PROPO
29 Mar 2021	372-PL-314-00 - APARTMENTS - PROPOSED FR.
29 Mar 2021	372-PL-315-00 - APARTMENTS - PROPOSED WE
29 Mar 2021	372-PL-316-00 - APARTMENTS - PROPOSED RE
29 Mar 2021	372-PL-317-00 - APARTMENTS - PROPOSED EA
29 Mar 2021	372-PL-318-00 - THE MEWS - PROPOSED FRON
29 Mar 2021	372-PL-319-00 - THE MEWS - PROPOSED SOUT
29 Mar 2021	372-PL-320-00 - THE MEWS - PROPOSED REAR
29 Mar 2021	372-PL-400-00 - PROPOSED SITE SECTION 1
29 Mar 2021	372-PL-011-00 - EXISTING SITE PLAN
11 Aug 2021	AMENDED 372-PL-101-02 - 372-PL-101-01
11 Aug 2021	AMENDED 372-PL-120-02 - 372-PL-120-00
11 Aug 2021	AMENDED 372-PL-322-01 - 372-PL-322-00
11 Aug 2021	AMENDED 372-PL-321-01 - 372-PL-321-00
11 Aug 2021	AMENDED 372-PL-100-02 - 372-PL-100-01
10 Aug 2021	AMENDED 372-PL-204-01 - 372-PL-204-00
10 Aug 2021	AMENDED 372-PL-205-01 - 372-PL-205-00
10 Aug 2021	AMENDED 372-PL-206-01 - 372-PL-206-00

10 Aug 2021	AMENDED 372-PL-207-01 - 372-PL-207-00
10 Aug 2021	AMENDED 372-PL-304-01 - 372-PL-304-00
10 Aug 2021	AMENDED 372-PL-305-01 - 372-PL-305-00
10 Aug 2021	AMENDED 372-PL-306-01 - 372-PL-306-00
10 Aug 2021	AMENDED 372-PL-307-01 - 372-PL-307-00
10 Aug 2021	AMENDED 372-PL-308-01 - 372-PL-308-00
10 Aug 2021	AMENDED 372-PL-309-01 - 372-PL-309-00
10 Aug 2021	AMENDED 372-PL-310-01 - 372-PL-310-00
10 Aug 2021	AMENDED 372-PL-311-01 - 372-PL-311-00
10 Aug 2021	AMENDED 372-PL-401-01 - 372-PL-401-00
13 May 2021	AMENDED 372-PL-010-01 - 372-PL-010-00
29 Mar 2021	372-PL-030-00-DEMOLITION PLAN
29 Mar 2021	372-PL-200-00 - THE CHAPEL - PROPOSED GR
29 Mar 2021	372-PL-201-00 - THE CHAPEL - PROPOSED FI
29 Mar 2021	372-PL-202-00 - THE CHAPEL - PROPOSED SE

### **INFORMATIVE(S)**

1. The Council is the Charging Authority for the Community Infrastructure Levy (CIL). CIL is a charge on development; it is tariff-based and enables local authorities to raise funds to pay for infrastructure.  
If you have received a CIL Liability Notice, this Notice will set out the further requirements that need to be complied with.  
If you have not received a CIL Liability Notice, the development may still be liable for CIL. Before development is commenced, for further information please refer to the following website <https://www.chiltern.gov.uk/CIL-implementation> or contact 01494 732792 for more information.
2. The applicant is advised that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 8 weeks is required to draw up the agreement following the receipt by the Highway Authority of a completed Section 184 application form. Please contact Highways Development Management at the following address for information:-  
Highways Development Management (Delivery team)  
Buckinghamshire Council  
6th Floor, Walton Street Offices  
Walton Street,  
Aylesbury  
Buckinghamshire  
HP20 1UY

## **APPENDIX A: Consultation Responses and Representations**

### **Councillor Comments**

Councillor Jackson: If the recommendation of a Buckinghamshire Council planning officer is to approve this application, I request that the application be called in so it can be considered by the Planning Committee. The grounds for this call-in request include (but are not limited to) concerns that:

- a. The development will result in the loss of light for neighbouring properties
- b. The development will overlook neighbouring properties and result in loss of privacy
- c. The design and appearance of the new development will not be in keeping with the surrounding properties
- d. The proposed pedestrian access between The Mews and The Chapel would be unsafe
- e. There is a shortfall of parking spaces for the development
- f. The main vehicle access is directly opposite the entrance to another road and near to a zebra crossing, raising highways safety concerns

### **Parish/Town Council Comments**

'Support the application and applaud the style and design. Appreciate the thoughtful landscaping.'

Comments in respect of amended plans:

'Request the height of the new block of 6 flats be reviewed given the objections raised regarding overdevelopment, overlooking, loss of light and privacy.'

Parking does seem 'contrived' and inadequate given the larger number of dwellings proposed.

Very concerned at the lack of notification received by residents regarding the application.'

### **Consultation Responses**

**Ecology Officer:** The bat survey report (Supplementary Bat Report, AAe Environmental, September 2021) details results of bat emergence/re-entry surveys undertaken in August and September 2021.

In summary, the existing church building is a brown long-eared bat roost and the church hall building is a roost for an individual common pipistrelle. The surveys were undertaken during appropriate conditions and with an appropriate number of surveyors. A Natural England licence will be required for the works to proceed for the destruction of the common pipistrelle roost. A detailed bat mitigation plan will be required to confirm the details of the bat mitigation. Whereas the outline mitigation in section 5.0 of the report is largely appropriate, I would request that a number of points are clarified. Please see below to be clarified within the report:

- The report states that the clock tower and associated roof void is scheduled to be retained. However the Bat Mitigation Plan (Figure 2) shows proposed skylights in the roof of the building.

- The Bat Mitigation Plan (Figure 2) is different to the proposed Site Plan submitted (e.g. shows different buildings proposed and may relate to the previous plans rather than amended plans). If these plans have changed, the report should be updated with an updated Bat Mitigation Plan to reflect the current plans. Whereas the proposed bat boxes and bat tubes are considered appropriate based on the current plans (ie. no impact on the brown long-eared bat roost), should skylights be proposed this will impact on the brown long-eared bat roost and a licence will be required for destruction of this roost.
- The report states that "the majority of the trees are scheduled to be retained and protected". However the Proposed Site Plan shows a number of trees are proposed to be removed and replaced with tree planting. The survey does not mention where the bats were foraging/commuting on site however it will be important to ensure that the flight line to and from the brown long-eared roost is retained within the development to ensure that the roost will not be adversely impacted. Further information to clarify the existing flight lines should be provided. Inclusion of tree planting to compensate for any loss of flight line may be required.

Subject to an updated bat mitigation strategy (Section 5.0 and Figures of the report) being submitted and agreed, the bat mitigation strategy could be secured by condition (please see below).

Lighting can have an adverse impact on bat foraging and commuting and use of roosts, and therefore it is important that any external lighting scheme is designed sensitively to ensure that light spillage into suitable habitat is avoided. I understand that the proposals do not include any additional external lighting within the site. However, if any external lighting is required, we would request that details of the scheme be submitted and secured by a suitably worded condition. The lighting scheme must be sensitively designed to avoid impacts on the bats including bat roost features, and boundary vegetation/hedgerows.

The proposals must demonstrate a net gain for biodiversity in accordance with national planning policy (NPPF, 2019) and local planning policy (Chiltern District Policy CS24) features for biodiversity must be incorporated within the development. The landscaping proposals should include enhancements for biodiversity, such as planting of native species of shrubs and trees and species of value to pollinators, hedgehog holes in fences, bird and bat boxes. As such we request if these features can be provided on a biodiversity enhancement plan at this stage, if appropriate, the biodiversity enhancement plan could be secured via condition in accordance with the details.

Otherwise, we request a 'pre-commencement' condition is attached to secure net gain for biodiversity.

**Environmental Health Officer - contamination:** The historical maps show that the church has been on site since at least the 1874-1891 epoch, the site is labelled Baptist chapel (general), additional buildings are shown on the map for the 1924-1925 epoch, the site is labelled Baptist Chapel on the map for the 1937-1938 epoch, the site layout shown on the map for the 1961-1971 epoch differs, Gold Hill Baptist Church, a hall and The Manse are all labelled on the map of this period, Talland is labelled on the map for the 1970-1988 epoch.

The site has not had a previous potentially contaminative use. The residential use of the site is unlikely to have given rise to anything more than diffuse anthropogenic contamination. There may be made ground beneath the structures to be demolished that could be unsuitable for reuse on site (i.e. hardcore containing contaminants of concern and/or asbestos containing materials etc.). Any unexpected contamination encountered during the development should be reported to the LPA.

No objection, subject to conditions.

**Environmental Health Officer - noise:** If permission were to be granted I would recommend that the fence shown on the east of the site plan be upgraded to provide noise mitigation. This is because there will be increased vehicle movements arising from the development likely to result in more noise to nearby residential receptors. In addition, an existing building to the east of the plot which currently offers some protection from noise will be demolished.

Ideally the fence should be of solid construction, with good quality timber (no warping, knotholes or damage) of at least 20mm (ideally 25mm) thickness in all places, including where the boards overlap. Boards should continue across the front of posts to minimise gaps and wide overlaps (minimum 25mm is recommended) and to allow for timber expansion and contraction whilst minimising the possibility of gaps appearing over time. The superficial mass of 25mm thickness of timber is approximately 10 to 15 kg/m<sup>2</sup>. This is sufficient to prevent a reduction in performance by noise leaking through the fence itself.

**Heritage Officer:** The following should be read in conjunction with initial heritage comments dated the 7th June 2021, which identified the historic significance of the site and assessed the proposal.

Previously, the scheme was deemed acceptable with the exception of the proposed terrace building which was considered inappropriate due to its position, scale and design. Therefore, it is welcomed that the applicant has revisited the design of this part of the scheme.

The number of units within the terrace has been reduced, resulting in a smaller scale building. A number of the overly contemporary design elements have been omitted, again reducing the prominence of the building. The revised design has also reconsidered the external materials to better reflect the surrounding context.

Whilst some contemporary elements have been retained, such as the fenestration, these are now subtler in their approach.

The application would not raise any heritage objection.

**Highway Officer:** In terms of the pedestrian access between The Mews and The Chapel, I can confirm that this has now been removed and as such I can confirm that this is acceptable.

In terms of parking provision, I note that 36 parking spaces are provided. In accordance with Buckinghamshire's Countywide Parking Guidance, I note that 31 spaces are required. I can confirm that the level of parking proposed is acceptable, and that the proposed spaces are of adequate dimensions. I would also request that these spaces are also provided with passive infrastructure so as to allow for electric vehicle charging points in the future, which I trust can be dealt with by way of condition.

I note that refuse collection is proposed to take place within the site, with a swept-path analysis provided which confirms that this can take place without the need for large refuse vehicles to reverse for long distances onto the public highway.

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

**Natural England Officer:** Objection: Between 500 metres to 5.6km from Burnham Beeches SAC, a Habitats Regulations Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity. This should be in line with Adopted Burnham Beeches Avoidance and Mitigation Strategy Supplementary Planning Document (SPD), which requires proposals to;

1. Make financial contributions towards the Burnham Beeches Access Management Scheme, or any subsequent scheme which replaces this; and
2. Demonstrate that no adverse impacts on the SAC will arise as a result of additional visitors to the SAC from the develop.

**SuDS Officer:** The LLFA has no objection to the proposed development subject to the planning conditions being placed on any planning approval.

Following the LLFAs previous letter, ground investigations have been undertaken on site to determine the infiltration potential of the underlying geology. The results of the infiltration rate tests demonstrate that infiltration is viable as a method of surface water management for this site.

Surface water runoff generated by the proposed development is to be managed using infiltration techniques. Section 5.26 of the SuDS Assessment outlines that permeable paving will be provided within all appropriate paved areas and section 5.27 outlines that bioretention areas, including rain gardens and tree pits will be provided within garden areas and all trees planted within paving areas. The LLFA is pleased with the inclusion of these components as they provide water quality, water quantity, amenity and biodiversity benefits to the site.

**Thames Water Officer:** No objection.

**Waste Officer:** Waste services note the proposal at Gold Hill Baptist Church. The collection vehicle will enter the site in forward gear, complete a turn on site and make collections from both bin stores. We do not envision space or access to be an issue.



Prior to collections commencing the developer/managing agent will have to complete an indemnity waiving any damage liability over the road surface. All collections to take place in accordance with council policies.

Viability Officer: We therefore conclude that the scheme is technically unviable and unable to contribute to on-site affordable housing. We consider it prudent to include review mechanisms so that if the viability of the scheme should improve over time, then there may be scope for the scheme to later contribute to affordable housing.

### **Representations**

31 letters of objection in response to original scheme; comments have been summarised below:

- Poor design
- Harm to conservation area
- Three storey development out of character
- Concern regarding height of apartment block
- Change to local views
- Apartments will be visible in and taller than adjacent buildings
- Impact of apartment block on amenities of Chapel End
- Loss of light from apartment block
- Requirement for light impact assessment to be undertaken
- Loss of privacy from windows and Juliette balconies
- Increase in noise
- Insufficient parking
- No visitor parking
- Concern regarding impact of overspill parking on local highway
- Parking spaces of inadequate size
- Concern regarding visibility splays
- Impact of congestion on emergency services access
- No electric vehicle charging
- Loss of trees and green spaces
- Remaining trees should be protected
- Lack of affordable housing
- Clarification of boundary treatments required
- Discrepancy regarding site boundary (to north-east corner of the site)
- Concerns regarding noise and disturbance during duration of works
- No information in respect of drainage and sewage (note, these are Building Control matters)
- No objection to previous scheme that was approved
- Overdevelopment of the site
- Lack of consultation from church

Objection from The Russets Residents Association.

Five letters of objection received in respect of the amended plans, stating that the amendments do not overcome the concerns previously raised.