

Chesham Town Council

Bill Richards
Town Clerk



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21st March 2022

Dear Councillor,

Notice is hereby given of a meeting of the PLANNING COMMITTEE to be held in the Council Chamber, The Town Hall, Chesham, on

MONDAY 28TH MARCH 2022 AT 7.30PM

when the business set out below is proposed to be transacted:

AGENDA

1. Apologies for absence.
2. Declarations of Interest.
3. To receive and confirm the Minutes of the meeting of the Planning Committee held on 28th February 2022.
4. To receive the Minutes of the Chesham & District Transport Users' Group meeting held on 15th February 2022.
5. To receive and consider planning applications received from Buckinghamshire Council since the last meeting of the Committee and any planning applications and comments delegated to the Ward Members and Chairman of the Committee and to note previous planning comments submitted. **Plans are available for inspection on Buckinghamshire Council's website.**
<https://pa.chilternandsouthbucks.gov.uk/online-applications/search.do?action=simple>
6. To receive and consider decision notices received from Buckinghamshire Council since the last meeting of the Committee.
7. Information Items.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'W. Richards'.

Bill Richards
Town Clerk

Publication Date: 21st March 2022



Chesham Town Council, Town Hall, Chesham, Bucks HP5 1DS
Twinned with Friedrichsdorf Germany; Houilles France; Archena Spain

continued . . .



<u>Councillor</u> <u>Circulation</u>
Councillor Alan Bacon
Councillor Joseph Baum
Councillor Qaser Chaudhry
Councillor Mohammad Fayyaz
Councillor Umar Hayyat
Councillor Francis Holly
Councillor Chasey Hood
Councillor Jane MacBean
Councillor Nick Southworth

CHESHAM & DISTRICT TRANSPORT USERS' GROUP

Minutes of a Meeting held at
Chesham Town Hall on
Tuesday, 15th February 2022 at 7.30pm

Present:

Rod McCulloch (Chairman) (RM)
Peter Crabb-Wyke (Treasurer) (PCW)
Nick Southworth (CTC) (NS)

In Attendance:

Jonathan Clover (AVTUG) (JC)
John Davies (JD)
Mike Richards (MR)
Maureen Winders (MW)

22/01 Apologies for Absence

Apologies were received from Mark Brookes, Michael Browne, Janice Gardner, Sarah Green MP, Philip Kent, Georgina Lomnitz, Sandra Milton, Andrea Polden, Jenny Richardson and Alan Wallwork.

22/02 Minutes of the Meeting of 7th December 2021

The Minutes of the Meeting held on 7th December were approved and signed. Notes from the "Meet the Managers" meeting held on 4th January 2022 were also noted, together with a follow up e-mail from Peter Compton the TfL Area Manager, regarding the waiting room at Chalfont & Latimer.

22/03 Matters Arising

- All matters arising were covered elsewhere on the Agenda.

22/04 Building Society Account and Signatories

The Treasurer reported that in attempting to open a new account at Skipton Building Society in Chesham, he was informed that some specific wording needed to be incorporated in the Minutes.

Accordingly, it was RESOLVED that the Treasurer, Peter Crabb-Wyke; be and is hereby empowered to open a new account with Skipton Building Society in the name of Chesham & District Transport Users' Group, using the cheque to the value of £106.01 in the Group's name issued when the previous account was closed.

It was FURTHER RESOLVED that any two from the Chairman, Roderick McCulloch; the Secretary, Alan Wallwork; and the Treasurer, Peter Crabb-Wyke; be and are hereby authorised to operate the account and sign cheques and make withdrawals on behalf of the Group.

Following completion of, the necessary application forms, the application would be progressed.

PCW

Whilst it was noted that the Annual Subscriptions of £2 were due, in view of the fact that not many members were carrying cash, collection would be deferred to the next Meeting. JC would send a cheque in respect of the contribution from AVTUG.

PCW

22/05 Federation of Met Line User Committees (FOMLUC)

RM reported on the FOMLUC meeting held on 14th December 2021 which he attended on behalf of the Group. The following issues had been discussed:-

- SFA at Harrow on the Hill now 95% completed and was estimated to open late January / early February, although it hadn't yet opened.
- Covid had slowed down the signalling programme.
- Central Government revenue support for TfL was due to end on 1st April 2022 so new sources of income needed to be found. There were no planned cuts to Met Line services. JD commented however that in the event of no settlement leading to cuts in local services meant that Chesham TUG would need to meet and respond quickly. RM expected that a settlement would be negotiated eventually and that drastic cuts would be avoided.

22/06 Ongoing Met Line Issues

The following issues were discussed:-

- Following the recent "Meet the Managers" Meeting, Met Line services were improving and there had been no cancellations between Tuesday and Friday in the previous week.
- It was reported that the driver shortage was easing and that 12 new drivers had recently passed out.
- Ongoing delays and cancellations were now mostly due to mechanical and other issues.
- JC commented that on a recent journey, staff at Chalfont had helpfully been informing passengers of service changes and that the Waiting Room was open. He also reported that whilst Aylesbury Station was always manned, others such as Wendover did not always have staff present.
- Further to reports at previous meetings, TfL staff would be balloting for strike action.
- A request was made that Met Line management be contacted to secure free travel for schools from Chesham, Amersham, Chalfont and Rickmansworth stations as enjoyed by schools within the GLA area.

AW

22/07 Local Bus Services

- PCW reported that driver shortages were still critical and that for example eight round trips on Route 1 had been cancelled earlier in the day.
- The loss of Red Rose Route 55 had been caused because it was now a commercial service and was not making money. It was formerly subsidised by the NHS as it served Amersham and Stoke Mandeville Hospitals. The loss was officially described as being only "temporary" but it was unlikely to be reinstated and it was noted that other cuts had also taken place.
- MR pointed out that the £1.7bn bus grant would end in April and if not replaced 30% of routes would be lost nationally. NS expressed the hope that passenger numbers would eventually recover and it was reported that they are currently at around 70% of pre-Covid levels.

22/08 Face Coverings on TfL Services

RM reminded the Meeting that despite recent Government relaxations in Covid precautions, TfL continued to require passengers to wear face coverings on all its services unless exempt.

22/09 Train Reporting Numbers – Met Line Trains

Attention was drawn to a paper included in the Agenda pack referring to an easy method of distinguishing Chesham branch services from other Met Line services.

22/10 Partial Closure of the Northern Line

The Meeting noted the document circulated in the Agenda pack outlining a partial closure of the Northern Line (Bank Branch) between Kennington and Moorgate from 15th January to mid-May 2022, due to upgrading works at Bank Station.

22/11 Watford to Croxley Link

Reference was made to a paper outlining possible other transport uses for the abandoned Metropolitan Line Extension to Watford Junction, which might also tie in with the Hertfordshire & Essex Rapid Transport Scheme (HERT).

PCW doubted that little improvement was likely to result from the HERT proposals.

22/12 Any Other Business

JC gave further information about Aylesbury Vale TUG which met 4 times a year, twice in Aylesbury and twice in Buckingham. As much of Aylesbury Vale is rural, the membership consisted mainly of older people who are bus users and therefore 80% of its business relates to bus services. It was also noted that their Chairman, Colin Hicks, was recently awarded the BEM for community action.

JC stressed the importance of the Buckinghamshire Council Bus Improvement Plan which he had asked the group to consider. Included in the Plan was a proposal to set up Forums to discuss transport issues (mainly bus) and he had asked the officer responsible at Bucks (David Hauser) how they would be established and how groups would participate.

Another issue was the state of Aylesbury Bus Station, which was a disgrace as its air quality was bad and the facilities poor. They had not had a response from the Council to their concerns and had asked for a meeting.

It was noted that afternoon Chiltern Railways' services from Marylebone to Aylesbury had been cut back recently.

22/13 Date of Next Meeting

Tuesday 5th April 2022 at Chesham Town Hall, at 7.30pm.

Signature

Chairman

Initials

CHESHAM TOWN COUNCIL PLANNING APPLICATIONS 28TH MARCH 2022

1) **PL/22/0567/NMA** [REDACTED] **6 The Braid Chesham** **HILLTOP**

Description: Non Material Amendment to planning permission PL/20/3006/FA (Single storey rear/side extension, additional window to side elevation and roof light) to allow for changes to windows.

2) **PL/22/0532/FA** [REDACTED] **6 Pulpit Close Chesham** **LOWNDES**

Description: Two storey rear and first floor side extensions and conversion of existing garage to living space.

3) **PL/22/0368/FA** [REDACTED] **5 Pond Park Road Chesham** **VALE**

Description: Single storey front, side and rear extensions, hip to gable loft conversion with rear dormer window and two front rooflights.

4) **PL/22/0473/AV** [REDACTED] **The George and Dragon, 14 High Street Chesham** **ST MARY'S**

Description: 4 illuminated and 1 non illuminated fascia signs, 1 illuminated and 1 non illuminated hanging signs, 8 non illuminated hoardings and 2 lanterns.

5) **PL/22/0474/HB** [REDACTED] **The George and Dragon, 14 High Street Chesham** **ST MARY'S**

Description: Listed building consent for 4 illuminated and 1 non illuminated fascia signs, 1 illuminated and 1 non illuminated hanging signs, 8 non illuminated hoardings and 2 lanterns.

6) **PL/22/0562/FA** [REDACTED] **102 The Broadway Chesham** **ST MARY'S**

Description: Two storey rear extension and first floor rear and side extensions, conversion of property to mixed use development inclusive of Use Class E unit and 4 dwellings, 9 top roof lights, changes to windows and doors and associated bins, cycle provision and rear fencing.

CHESHAM TOWN COUNCIL PLANNING APPLICATIONS 28TH MARCH 2022

7) **PL/22/0564/FA** [REDACTED] **8 Delmeade Road Chesham** **ST MARY'S**

Description: New vehicular access.

8) **PL/22/0640/FA** [REDACTED] **5 Lye Green Road Chesham** **HILLTOP**

Description: Rear roof extension and raising the side roof height in line with the main roof, changes to windows and doors.

9) **PL/22/0695/FA** [REDACTED] **20 Hivings Park Chesham** **RIDGEWAY**

Description: Demolition of existing rear extension and erection of single storey rear/side extension.

10) **PL/22/0545/NMA** [REDACTED] **20 Cheyne Walk Chesham** **TOWNSEND**

Description: Non material amendment to planning permission PL/21/1345/FA (Demolition of existing garage and side extension, two storey side, part two, part single storey rear extension, single storey front extension with bay window and porch loft conversion with a rear dormer, roof lights and sun tunnels to the front and rear elevations. Erection of outbuilding to rear garden and a new vehicular access) to allow relocation of manhole and drainage run, additional parking space, changes to materials and internal alteration.

11) **PL/22/0636/FA** [REDACTED] **23 Rose Drive Chesham** **WATERSIDE**

Description: Single storey side and rear extension and roof modifications including the addition of roof lights to side elevations.

12) **PL/22/0659/FA** [REDACTED] **63 Rose Drive Chesham** **WATERSIDE**

Description: Single storey rear extension.

13) **PL/22/0694/SA** [REDACTED] **2 Shantung Place Chesham** **WATERSIDE**

Description: Certificate of Lawfulness for proposed loft conversion with rear dormer windows and 2 rooflights to front elevation..

CHESHAM TOWN COUNCIL PLANNING APPLICATIONS 28TH MARCH 2022

14)	PL/22/0727/SA	[REDACTED]	359 Waterside Chesham	WATERSIDE
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Description: Certificate of Lawfulness for proposed single storey rear and side extensions.

15)	PL/22/0692/FA	[REDACTED]	The George and Dragon, 14 High Street Chesham	ST MARY'S
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Description: Erection of Pergola to replace existing marquee, new bar servery within existing storage building, hardstanding and redecoration of rear and side elevations.

16)	PL/22/0753/FA	[REDACTED]	Ivy House Farm, Latimer Road Chesham	WATERSIDE
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Description: Outdoor riding area.

17)	PL/22/0761/FA	[REDACTED]	17 Harding Road Chesham	TOWNSEND
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Description: Single storey rear extension incorporating 3 roof lights to rear with garage link, single storey extension and garage conversion, single storey side extensions incorporating 1 front roof light, changes to windows and doors, repositioning of stairs on terrace in rear garden.

18)	PL/22/0762/SA	[REDACTED]	17 Harding Road Chesham	TOWNSEND
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Description: Certificate of lawfulness for proposed 4 side dormer windows.

19)	PL/22/0916/KA	[REDACTED]	Devonshire, Bury Farm Courtyard, Pednor Road Chesham	ST MARY'S
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Description: Ash T1 - Fell, Prunus - cut back to site boundary, (Chesham Conservation Area)

20)	PL/22/0677/FA	[REDACTED]	18 Benham Close Chesham	ASHERIDGE VALE
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Description: Loft conversion with 2 front and 3 rear roof lights, new vehicular access, excavation of front parking area with retaining wall and balustrade.

CHESHAM TOWN COUNCIL PLANNING APPLICATIONS 28TH MARCH 2022

21)	PL/22/0696/SA		174 Chartridge Lane Chesham	LOWNDES
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Description: Certificate of lawfulness for proposed single storey side and rear extensions.

CHESHAM TOWN COUNCIL PLANNING DECISIONS 28TH MARCH 2022

1)	PL/21/3103/FA		109 Cambridge Yard, High Street Chesham	ST MARY'S
Description: Demolition of building and outbuilding to rear and the redevelopment of the site through the construction of a two/three storey building comprising one retail unit, one office unit and nine residential units, a single storey general and cycle storage buil				
Comments: The Committee raises it concern about the absence of parking provision.				
Decision: Conditional Permission				
2)	PL/21/3175/HB		Trustee 1-4 Weedons Alms Houses, Waterside Chesham	ST MARY'S
Description: Listed Building consent for alterations in connection with roofing repairs including insulation of roof slopes and construction of fire break walls between separate dwellings within loft space.				
Comments: The Committee has no comments to make in respect of this application.				
Decision: Conditional Consent				
3)	PL/21/4053/OA		Chesham Repair Centre, 22 Bellingdon Road Chesham	TOWNSEND
Description: Outline application for demolition of the existing building and redevelopment of site to provide 9 apartments with commercial / business space at ground floor and basement car parking (all matters reserved).				
Comments: The Committee recommends REFUSAL of this application on the grounds of being overlooking to Avenue House; excessive height and overdevelopment; lack of suitable parking provision and concerns over flooding within the proposed basement.				
Decision: Refuse Permission				
4)	PL/22/0019/FA		34 Little Hivings Chesham	RIDGEWAY
Description: Single storey rear extension.				
Comments: The Committee raises NO OBJECTIONS to this application				
Decision: Conditional Permission				
5)	PL/21/4885/FA		1 Shantung Place Chesham	WATERSIDE
Description: Single storey side/rear infill extension.				
Comments: The Committee notes that this application has been withdrawn.				
Decision: Withdrawn				
6)	PL/22/0187/FA		2 Shantung Place Chesham	WATERSIDE
Description: Single storey rear infill extension, loft conversion with side/rear dormer, enlargement of window.				
Comments: The Committee notes that this application has been withdrawn.				
Decision: Withdrawn				

CHESHAM TOWN COUNCIL

INFORMATION SHEET FOR COUNCILLORS TO THE PLANNING COMMITTEE MEETING OF THE 28TH MARCH 2022

17. Prior Notification – PL/22/0501/PAPCR 26 High Street.

Prior notification under Class MA of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 – Change of use of rear part of Class E unit to 2 dwellings (Use Class C3)

18. PL/22/0704/PNE 174 Chartridge Lane.

Notification under the Town and Country Planning (General Permitted Development) Order 2015, Part 1 of Schedule 2 Class A for: Single storey rear extension (depth extending from the original rear wall of 8.0 metres, maximum height 3.37 metres, eaves height 2.47 metres).

19. PL/22/0806/PNE 5 Nine Acres.

Notification under the Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 1, Class A for single storey rear extension (depth extending from the original rear wall of 4.00 metres, maximum height 2.70 metres, eaves height 2.35 metres).

20. Chiltern Beechwoods Special Area of Conservation.

Please see documents attached.



**Directorate for Planning, Growth & Sustainability
Planning and Environment**

Service Director: Steve Bambrick
Buckinghamshire Council
The Gateway
Gatehouse Road
Aylesbury
HP19 8FF

01296 39000
www.buckinghamshire.gov.uk

14th March 2022

Dear Sir/Madam,

Our records indicate that you have either an application that is currently in the process of being determined or have recently engaged with us. We are writing to you to bring to your attention a matter that is material to the consideration of your proposal in respect of the Chiltern Beechwoods Special Area of Conservation (SAC), more specifically the Ashridge Commons and Wood Site of Special Scientific Interest (SSSI).

The Chiltern Beechwoods SAC is made up of nine constituent SSSIs. There is evidence of significant recreational pressures on the SAC arising from a Zone of Influence (Zoi) of 12.6km from Ashridge Commons and Woods SSSI and 1.7km for Tring Woodlands SSSI. These Zones of Influence extend into Buckinghamshire.

This matter has arisen as a result of evidence produced in the preparation of the Dacorum Borough Local Plan. By law Dacorum Borough Council (DBC) has undertaken a Habitats Regulation Assessment (HRA) to understand the impacts that current and planned future growth on sites designated under the Habitats and Birds Directive.

The evidence gathered by DBC concludes that the integrity of the Chiltern Beechwoods SAC, particularly at Ashridge Commons and Woods SSSI is being harmed as a result of public access and disturbance. The evidence can be found on Dacorum Borough Council's website: www.dacorum.gov.uk/chilternsbeechwoodssac

Natural England (NE) in its' advice to Buckinghamshire Council and other neighbouring authorities stated that there could be a serious potential conflict between the plans for any new housing development in the area around the Chiltern Beechwoods SAC and conservation objectives for the protected features there.

On the advice of NE, Buckinghamshire Council has adopted an interim position from 14th March 2022 until such time as a mitigation strategy can be agreed. For this interim period, the following is adopted:

- Any development within the 12.6 kilometre Zone of Influence that proposes an increase in residential dwellings will need to carry out a HRA. This would need to consider both alone and in-combination impacts and set out measures to mitigate the impacts.
- An exclusion zone of 500 metres from the edge of the Ashridge Commons and Woods SSSI.

The Council will shortly begin work on a mitigation strategy. This could take six months to get it in place. This will assist smaller scale schemes to proceed where they are not in the exclusion zone. Natural England is advising that a more strategic form of mitigation for larger developments such as Suitable Alternative Natural Green Space may be required – this could take longer to get into place. While strategies are put in place, Planning Officers will continue to work on those applications which are unable to be determined or decided for reasons relating to HRA, to ensure that delays are kept to a minimum.

The Council understands that you may have a number of questions in relation to this letter. To further assist you in this matter, a Frequently Asked Questions has been produced which is attached for your consideration. If you have any specific queries, you can also discuss these with your allocated case officer.

Yours sincerely



Steve Bambrick
Service Director – Planning and Environment, Planning, Growth & Sustainability



Chiltern Beechwoods Special Area of Conservation
Frequently Asked Questions
March 2022



1 - Why has the Council issued these Frequently Asked Questions?

The council, as 'competent authority', has prepared this document to help you understand changes to the application process in relation to parts of the north, central, west and east planning committee areas:

<https://buckinghamshire.moderngov.co.uk/documents/s6882/BuckinghamshireAreaPlanningMap.jpg.pdf>

Habitat Regulations Assessment will now be required, under the Habitats and Birds Directive, for any development which results in an additional home within the Chiltern Beechwoods Special Area of Conservation. The Zones of Influence can be seen in Figure 1 below and can be found here: [Dacorum Borough Council Site Map](#)

The Frequently Asked Questions apply to those planning applications where either new build housing or a change of use to residential development is proposed. This document only applies to land within the administrative area of Buckinghamshire Council.

2 - What is the Chilterns Beechwoods Special Area of Conservation?

The Special Area of Conservation is an internationally recognised designation with habitats and species of significant ecological importance. The Chiltern Beechwoods Special Area of Conservation comprises of nine separate sites in the Chiltern Hills across three counties.

The relevant sites in Buckinghamshire are the Ashridge Commons and Woods Sites of Special Scientific Interest. These cover an area of 2000 hectares of which 30% lies within Buckinghamshire. In addition, the Tring Woodlands Site of Special Scientific Interest is also a relevant constituent part of the Special Area of Conservation.

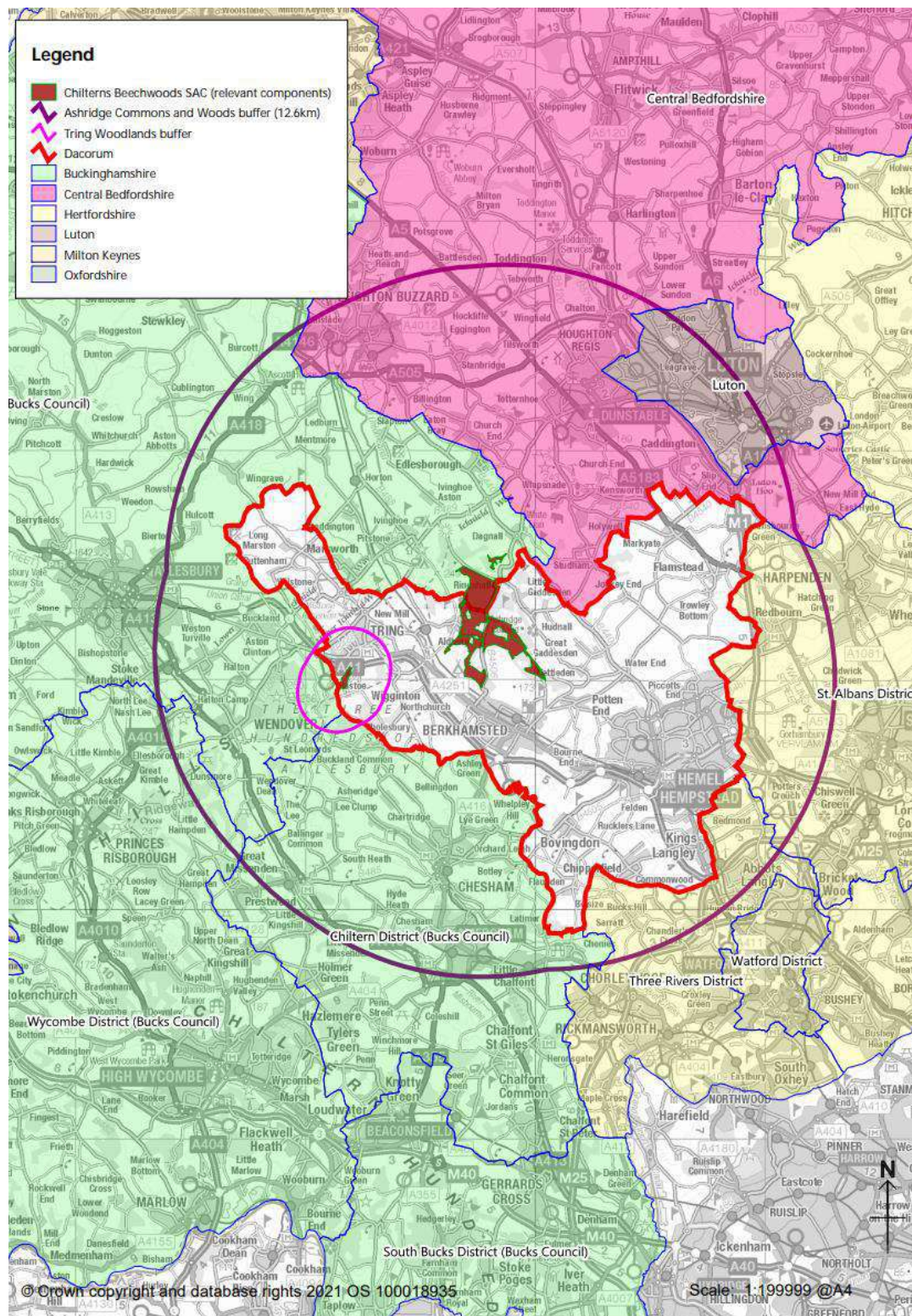
The main qualifying features of the Special Area of Conservation are:

- Beech forests on neutral to rich soils
- Semi-natural dry grasslands and scrub on chalk
- Stag beetle population

The location of the two Special Area of Conservation units is set out in Figure 1.

The forests form part of the most extensive area of native beech woodland in England and contain several notable and rare plants. The Stag Beetle is the country's largest terrestrial beetle and is of international importance. The Special Area of Conservation also has a unique character which draws visitors from a wide catchment. The designation provides the highest level of protection to ensure the integrity of the site is protected.

Figure 1:



3 - What is the relevant evidence?

A Habitats Regulation Assessment is required to assess if a plan or project could have significant effects on the qualifying features of a Special Area of Conservation. Dacorum Borough Council, a neighbouring authority, is in the process of producing a new Local Plan. As part of the ongoing work on the preparation of their Local Plan, Dacorum Borough Council was required to undertake a Habitats Regulations Assessment to understand the impacts that current and planned future growth may have on sites designated under the Habitats and Birds Directive.

A screening exercise (stage 1 of the Habitats Regulations Assessment) undertaken by Dacorum Borough Council, has identified that an increase in recreational disturbance will derive from an increase in housing numbers; and that this disturbance would have likely significant effects on parts of the Chiltern Beechwoods Special Area of Conservation that are located within and on the edge of its Borough.

The evidence underpinning the likely significant effects identifies potential for mitigation solutions to overcome those likely significant effects within Zones of Influence from the Special Area of Conservation. These Zones of Influence extend into the administrative area of Buckinghamshire Council [see Frequently Asked Question number 4]. The main impacts of this recreational disturbance include trampling, which has led to the widening of footpaths, compacting soils and churning the ground along the most 'attractive' desire lines. Other disturbance includes, mountain biking damage leading to exposed and damaged tree roots, den building, informal parking, and eutrophication from dog fouling.

4 – How does this affect my application?

The council is required by law under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations), as amended, to ensure that there are no adverse effects on such designated sites. A precautionary approach is embedded in the Habitats Regulations that includes a necessity to demonstrate that impacts will not occur. The Zones of Influence [See Frequently Asked Question 3] provide geographical areas within which the council will establish mitigation measures to overcome adverse effects from development.

12.6 kilometres and 1.7 kilometres Zones of Influence and 500m exclusion zone have been identified by Dacorum's Local Plan evidence base and endorsed by Natural England. Both zones extend into Buckinghamshire. The Zones of Influence identify the area which net new residential development would be expected to result in increased recreational pressure and impact the Chiltern Beechwoods Special Area of Conservation [see Frequently Asked Question number 3]. A plan showing the area within Buckinghamshire affected can be found here: [Dacorum Borough Council Site Map](#)

5- What does this mean for my application?

The council will carry out an initial screening assessment of your application to decide whether the development is likely to have a significant effect (either alone or in combination with other plans and projects) on the Special Area of Conservation. It will consider the nature, scale and location of the development and undertake any relevant review. This initial review will 'screen out' proposals that do not need further assessment under the Habitats Regulations.

The council may need to seek the advice of other key bodies at the screening stage, such as Natural England.

6 - Why is the decision on my application being delayed at this current time?

The evidence produced in support of the emerging Dacorum Borough Local Plan identifies adverse effects on the integrity of the Special Area of Conservation. The evidence is that additional residential development will lead to an increase in visitor numbers using Ashridge Commons and Woods Special Site of Scientific Information and Tring Woodlands Special Site of Scientific Information.

The Habitats Regulations are clear that development proposals must not give rise to adverse effects on the integrity of the Special Area of Conservation either alone or in combination with other plans or development proposals. If it is likely, or even where it is uncertain that a significant adverse effect will occur, then measures must be secured to either avoid or mitigate the impact. If it is not possible to avoid or mitigate an adverse impact, then planning permission will be refused.

The council is prioritising the preparation of a mitigation strategy working with partner organisations. This will take a few months before it will be in place. In line with steps taken on other designated sites in England, this requires us to identify and implement mitigation measures in perpetuity.

The council will continue processing planning applications however it will not be able to issue decisions on such applications, until acceptable mitigation strategies to manage the recreational pressures and adverse effects of new development on the Special Area of Conservation have been identified. Acceptable mitigation will need to be secured by legal agreement.

While strategies are put in place Planning Officers will continue to work on those applications which are unable to be determined for reasons relating to Habitat Regulations Assessment, to ensure that delays are kept to a minimum. Applicants will be requested to agree extensions of time to cover this period, until a mitigation strategy is in place.



7 - Which applications are affected?

It will depend on the type of application that has been submitted.

As required under the Habitat Regulations, your application will be screened to identify if it will require further assessment for recreational pressure on the Special Area of Conservation.

The restrictions will affect us issuing a decision where it would lead to a net increase in new homes on a site. A summary table of the qualifying types of development are set out below.

Development Type (Use Class)	Affected by the restrictions
Student accommodation (C2)	Yes
Residential care homes and institutions (C2)	Yes
Dwelling houses (C3)	Yes
Houses in Multiple Occupations (HMOs) (C4)	Yes
Residential caravan sites	Yes
Permanent residential boat moorings	Yes
Gypsies, Travellers and travelling show people plots	Yes
Ancillary accommodation (e.g., granny annex)	Yes
Replacement dwelling houses	No
Extensions to dwelling houses	No

The Habitat Regulations apply to consents or permissions which the applicant requires the council to give for the development to proceed. These include consents and permission for reserved matters and where the discharge of conditions is sought.

The types of application that are affected are set out below:

Application type (where they include qualifying development)	Affected by the restrictions
Full Planning Permission	Yes
Outline Planning Permission	Yes
Applications for Permission in Principle and Technical Details Consent	Yes
Applications for reserved matters	Yes
Applications for prior approval / permitted development rights	Yes
Applications subject to appeal	Yes
Applications under s73 of The Town & Country Planning Act 1990 (as amended)	Yes
Applications where there is a resolution to grant planning permission but where a formal decision has not been issued (for example subject to satisfactory completion of a legal agreement).	Yes

The council will be able to determine and issue decisions for other types of applications which do not involve the creation of new homes (or residential accommodation).

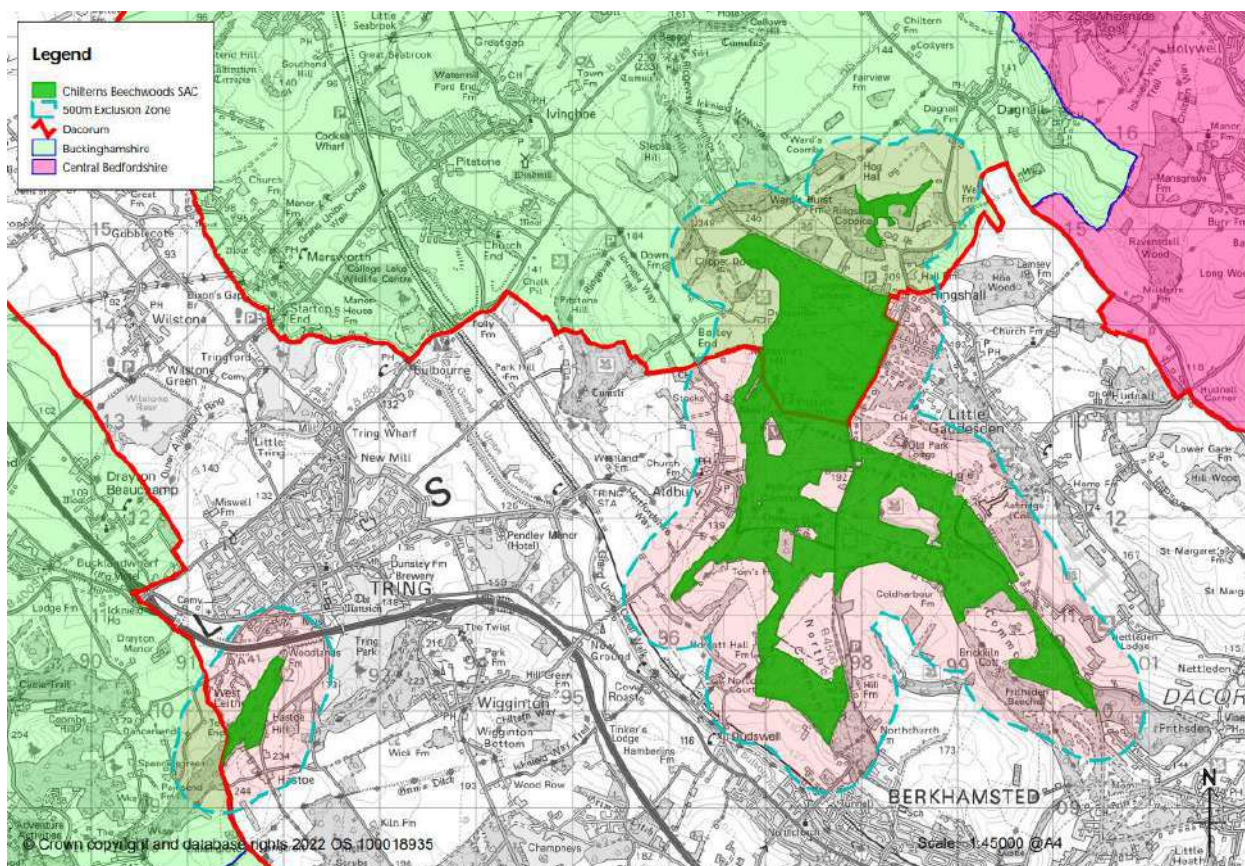
8 - What if my application lies within the 500m exclusion zone?

There is only a small area of the 500-metre exclusion zone which extends into Buckinghamshire in the north planning committee area, as shown in Figure 2.

If your application site lies within 500 metres of the Special Area of Conservation, the council considers that the likely significant effects of additional homes cannot be mitigated. The evidence indicates that the effects of new development in close proximity to the Special Area of Conservation, within walking distance, is more likely to be of risk to the beechwoods through frequent use by residents. Residents within 500 meters are also unlikely to use suitable alternative green space in preference to the Special Areas of Conservation for recreational use.

Therefore, there is a presumption against any net increase of new homes within 500 metres of the Special Area of Conservation. Unless it can be evidenced otherwise through your own shadow Habitats Regulations Assessment and the council agrees with you, the application will be refused.

Figure 2:



9 - When will the Council be able to issue a decision on my application?

The council estimates that a mitigation strategy will be agreed in approximately 6 months. Until this mitigation strategy is agreed, the Habitats Regulation Assessment process will prevent the council making decisions on residential development.

An applicant can choose to produce their own project level Habitats Regulations Assessment (or Shadow Habitats Regulations Assessment). It is considered that a Shadow Habitats Regulation Assessment will be unlikely to satisfy the council but there may be exceptional cases. These type of studies are normally costly and as such caution is advised on this approach.

When your application is pending determination, the council will need to agree an extension of time to cover this period, until a mitigation strategy is put in place.

10 - Can I appeal against the non-determination of my application?

You can still exercise a right of appeal where it exists.

The Secretary of State, acting through the Planning Inspectorate, will usually be the body deciding whether to grant permission for an application that is appealed.

The Planning Inspectorate will be the 'competent authority' for the purposes of the Habitat Regulation Assessment and will be responsible for carrying out the appropriate assessment to inform that decision.

11 - What is the Council doing next?

The council will continue to work with partner organisations to enable Buckinghamshire Council to develop a mitigation strategy for the recreational pressures. This is likely to be a financial contribution by way of a Strategic Access Management and Monitoring Strategy (SAMM) and Suitable Alternative Natural Green Space (SANG) provisions. Any financial contribution would be secured through a S106 bilateral or unilateral undertaking.

The financial contributions will go towards mitigation projects for the Chiltern Beechwoods Special Area of Conservation. Mitigation is likely to include measures which would avoid, reduce, or divert recreational pressures on these sensitive areas. Such measures could include financial contributions towards additional rangers, education, interpretation, physical work on sensitive sites and an access strategy. There would be monitoring of the success of such actions.

There is also further technical work being carried out by Dacorum Borough Council in respect of air quality and hydrology impacts on those qualifying sites in the Habitats and Birds Directive. The impacts are not known at this stage, but Dacorum Borough Council has advised

that these will be considered separately, require their own evidence bases, and if necessary, separate mitigation packages and modelled outputs.

The Government has provided advice on the Habitats Regulations Assessment process and protecting European sites:

<https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site#make-decision-making-quicker>

<https://www.gov.uk/guidance/appropriate-assessment>

Dacorum Borough Council have produced further information about the Chiltern Beechwoods Special Area of Conservation which can be accessed via the following website:

www.dacorum.gov.uk/chilternsbeechwoodssac

[Chilterns Beechwoods SAC - Habitats Regulations Map \(arcgis.com\)](#)

Buckinghamshire Council's Frequently Asked Questions will be updated as the matter evolves.

