

Watermead Parish Council Consultee Response

Application Number 21/03659/AOP



Outline Planning Application for access, appearance, layout and scale with landscape to be reserved
for change of use from garden centre to Industrial/Storage Units
Land to the north of Watermead, Buckinghamshire

The following images are provided for context to assist Councillors at Committee.



Application site and adjacent allotments

Application site flooded. Single road 'Watermead' adjacent with Holiday Inn / Best Western across road – not in any way similar to industrial units as stated by applicant.



The application misleadingly states there are no trees or hedges on the site:

12. Trees and Hedges

Are there trees or hedges on the proposed development site?

Yes No



The adjacent gym building with flooded land which is a common occurrence without warning at any time of year. (Note the architectural vernacular dissimilar in any way from an industrial unit).



Application site, allotments, crematorium site and balloon meadow flooded.

Background and Introduction

Google earth image below shows application site actually situated to the south-west of Watermead village. The cover picture shows extensively flooded in October 2020.

The site is adjacent to Watermead allotments, the River Thames and Aylesbury Vale Crematorium



In Considering its response to this application, Watermead Parish Council (WPC) has identified the material planning considerations; each of which is addressed under separate headings within this document.

Watermead Parish Council formally requests that this application is heard in Committee with public speakers including the Parish Council

Section 52 Agreement still in force, covering the application land

Before considering material planning matters, the PC reviewed the Advice it sought regarding the application land and the presence of an extant Section 52 Leisure & Recreation Agreement. (A copy of which is in the majority of the originally developed houses in Watermead village).

For brevity, relevant extracts from Mr Richard Kimblin QC's advice; the subsequent reply from Mrs Susan Kitchen of AVDC Planning and the map she relies on, shows that the application land is, in fact, covered by the Section 52 Agreement and should therefore never have received any development planning permission other than recreation and leisure, and definitely not for a development of this type.

Relevant extracts from Mr Richard Kimblin QC's advice

Mr Kimblin was asked to advise whether the existing Section 52 Agreement applied to the crematorium application site (adjacent). His Advice was that it did, as confirmed in the extracted Advice below:

4. The background to the matter with which this advice is concerned is as follows: on 4th September 1986 the Council entered into an agreement under section 52 of the 1971 Act ("the 1986 Agreement") with Royco Corporation Limited and Royco Leisure Parks Limited when planning permission was granted for the development of lands and other land for housing and associated facilities a dry ski slope with associated shop and café, a nature conservation area, recreational land with show ground site, a jogging track, a children's zoo, two lakes with associated clubhouse and restaurant and other facilities (as shown on plans accompanying application AV/2056/85) on an area of land including the site. The 1986 Agreement provided, *inter alia*, that the owner of the green land (Royco Leisure Parks Limited; this includes the site) or its successor in title or licensees (clauses 1(c) and 2) were to submit a scheme committing to "forever" maintaining the recreational facilities described in Schedule II of the agreement at no cost to the Council. The 1986 Agreement does not restrict the obligations to the submission of the scheme alone: by clause 2(b) Royco Leisure Parks Limited was to enter into any further agreements or undertakings "...to the end that the said recreational facilities are forever maintained and used without any cost to the Council for the purposes described in Schedule II hereto for the benefit of the public..."

5. It is clear that the 1986 Agreement required Royco Leisure Parks Limited and/or successors in title to provide and maintain the recreational facilities

2

described in Schedule II in perpetuity. By clause 2(b) of the 1986 Agreement payment may be charged to the public or in the form of rent for any of the recreational facilities except for the public open space shown as No.3 on the Development Concept Plan and public recreation/meadow shown as No.4 on the Development Concept Plan, which were to remain open to use by the public free of charge.

26. Accordingly, a section 52 agreement can only be modified or discharged either by the agreement of all the parties by way of an executed deed or by

9

an order of the Upper Tribunal (Lands Chamber) upon application under section 84 of the 1925 Act.

Mrs Susan Kitchen replied:

It didn't apply in the case of the Riviera site (now crematorium) essentially because the land was not coloured green within the Agreement's Plan. However, **the land now subject to application is shaded green** (see below) and is therefore covered by the S52 Agreement.



Mrs Kitchen's letter confirming the above stated:

Below is the relevant extract from clause 2 of the second 1986 agreement:

Schedule II set out the recreational facilities to be provided as follows:

There were subsequent agreements entered into dated 13th June 1988 and 13 February 1992, copies of which are available to view on the public access under reference 85/02056/AV. Of particular relevance, is the further agreement dated 13 June 1988 ("the 1988 agreement") which referred to the fulfilment by the developer of the obligation in clause 2 of the second 1986 agreement.

The parties to the 1988 agreement were the same as the parties to the second 1986 agreement. It was agreed that the developer had provided to the council's satisfaction those recreational facilities referred to in clauses 2 (a) and 2(c) of the second 1986 agreement, in accordance with the descriptions shown in columns 1 and 2 of Schedule II of that agreement.

As stated above, Clause 2(b) of the second 1986 agreement required that:

- (i) a scheme was submitted for approval to the Council for the future care and management of the recreational facilities "on the green land";
- (ii) (ii) an agreement or undertaking was entered into, securing the maintenance and use of the "green land" as recreational facilities, in perpetuity without cost to the Council.

In accordance with requirement (i) above, the scheme was duly submitted and approved, though there was no requirement in the covenant to comply with the scheme submitted and approved, which would have enabled future enforcement action to be taken for a breach under clause 2(b) of the second 1986 agreement.

As sought by requirement (ii) above, the 1988 agreement was made, and within it, the parties agreed that the area of land to be maintained and used for recreational facilities in perpetuity would be the reduced area of land described as the land “edged green” on the plan attached to that agreement (i.e. the 1988 agreement), The land identified as green land under the 1988 agreement and which agreement was made in connection with the obligations under clause 2(b) of the 1986 agreement did not include the land referred to by the parish council as the Riviera Restaurant area.

It is my opinion that once the recreational facilities had been provided in accordance with clauses 2 (a) and 2(c), and a scheme submitted and approved by the council together with the 1988 agreement required under clause (2b), and the houses subsequently occupied, those obligations were effectively discharged.

A subsequent agreement under Section 106 agreement of the Planning Act was entered into with Watermead Parish Council to secure the management and maintenance of the open space referred to in the 1986 and 1988 agreements. This related again to the green edged land.

It is my understanding that there is therefore no scheme to protect the land outside the green edged land identified in the 1988 agreement, including the Riviera land and facilities in perpetuity.

ACTION REQUIRED

Watermead Parish Council requests LPA action required before this application can even be considered

In consequence of evidence above, Watermead Parish Council now requires that the LPA re-visit this urgently to confirm the existence of the Section 52 Agreement on the application land, which is so clearly coloured and edged green. It is their contention that this application should not even be considered, nor, possibly, should the original garden centre have received consent.

Parishioners are rightly concerned that further leisure land may be lost to them and to the visitors who visit our scenic land and valued landscapes.

The remainder of this document deals with material planning considerations.

Evidence of need & commentary

It should be said that WPC is extremely surprised at the speed of response of Planning to this application. It is well known that applications currently take 3-6 months from submissions to be validated, and sent for consultation. This application is dated the beginning of September 2021, and was sent immediately. Further, the Economic Development officer's response is concerning, stating that the LPA 'welcomes this application for a change of use from *sui generis* providing 6 new modern distribution buildings helping to support the need for additional B8 capacity identified in the HEDNA....'

WPC has undertaken its own sequential test (since this is missing from the application). There is currently some 3,000,000 square feet of empty and available similar industrial space within a radius of ten miles of Aylesbury. The test is reproduced at Appendix I. Quite simply, these units are neither required, nor in a suitable location.

Flooding

The National Planning Policy Framework (NPPF) states clearly that *inappropriate development in areas of flooding should be avoided* by directing development away from area at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. **This application is not necessary development**; the site is at substantial risk of flooding and will only increase the flood risk to our community. (See images below).

The applicant's Flood Risk Assessment confirms that the site falls within flood zones 2 and 3.

The application contradicts the adopted Vale of Aylesbury Local Plan I4 Policy covering flooding.

Requirement for a sequential test

A sequential test is needed and that there are other more suitable sites within the local area that could be developed for warehousing (as evidenced by the Parish Council). The applicant may rely again on their fallback position (that there is an implemented consent for a garden centre which WPC disputes since it has never been developed). The document submitted in relation to this application (and specifically relating to flood risk) is inadequate and does not consider flooding already experienced on this site and surrounding areas. The applicant states that the potential from surface water is low this is simply not true, it is extensive flooding, already taking place at unpredictable times.

The proposed buildings are also positioned close to existing watercourses which as well as resulting in flood risk, can result in damage to the physical watercourse and associated biodiversity/ecology. No development is permitted, in any case, within 10 meters of a watercourse, this development is too close.

Impact

The adverse effect on the Village is incalculable. Completely out of keeping, overbearing and non-residential. Watermead does not wish to become an industrial estate.

Watermead benefits from the original innovative development of 900 homes receiving National Awards for design, has a wonderful community, and is still considered to be one of the more desirable areas to live within Aylesbury. The quality of life within this modern village will be forfeited forever if this plan is approved. Dog walkers and hikers use the footpaths around this proposed site to view enjoy among the best scenic walks within Aylesbury.

To this day Watermead remains Aylesbury's most distinctive and unique community and such wonderful amenities and a very much attended recreational and leisure land.

The industrial units will impact on the views towards the north of the town from the Weedon Ridge and spoil the view of the rolling Chiltern countryside. They would be built immediately beside the allotments, crematorium, hotel and gym. Leisure land is heavily used by dog walkers, model sailing boats groups, family picnics, summer fetes, outdoor concerts, plant sales the list goes on. Not only Watermead, but greater Aylesbury would lose its peaceful facility.

This application conflicts with the adopted **Vale of Aylesbury Local Plan, BE2 Design of New Development:**

All new development proposals shall respect and complement the following criteria:

- a) The physical characteristics of the site and its surrounding including the scale and context of the site and its settings
- b) The local distinctiveness and vernacular character of the locality, in terms of ordering, form, proportions, architectural detailing and materials
- c) The natural qualities and features of the area, and
- d) The effect on important public views and skylines.

This application also conflicts with the **National Planning Policy Framework 15 Conserving and enhancing the natural environment 174-182** designed to protect and enhance valued landscapes (see M Leahy report conclusion extract below and entire report at Appendix I), biodiversity. The intrinsic character of Watermead is self-evident and includes much natural capital with extensive areas of maintained land, trees and, uniquely, lakes.

Landscape Quality (Condition)

- 5.5 As shown in the aerial photographs and from MLA on-the-ground inspection, the overall Watermead site comprises an exceptionally high quality and diverse mix of landscape elements and habitat, including water meadows and damp grassland, water bodies and lake, woodland and individual tree/shrub/scrub areas, dry grassland and areas used for informal recreation.
- 5.6 Whether managed for landscape, amenity or nature conservation purposes the range of landscape and habitat is particularly diverse and wholly atypical for an area considered by the Council to be 'urban fringe'. Its ecological value could doubtless be comprehensively catalogued but evidently it provides an integrated suite of habitats that have been created and managed for nature conservation purposes.
- 5.7 The overall condition of the landscape appears very good.

Scenic Quality

- 5.8 The site is highly attractive for users – whether walking along the circular path around the lake, including through some woodland areas – or using the public open space areas for informal recreation – or for more organised community events.

Rarity

- 5.9 As large scale, landscape/open space areas with diverse nature conservation habitats, the whole Watermead area is a relatively rare resource on the 'urban fringe' of both Aylesbury and the Watermead residential areas. In contrast to farmed areas, open countryside and linear routes of public rights of way, which may be attractive in their own rights, both the circular walks and the open space areas are especially attractive, enhanced as they are by the lakeside/woodland/open space setting.

Highways

It is self-evident that the single access road to and from Watermead cannot stand the increased traffic from HGVs, vans and other commercial vehicles. An articulate lorry turning into the application area would have to cross the oncoming carriageway and would cause unacceptable delays to oncoming traffic.

Cars and vans already park on the verges, blocking footways and damaging grassed areas. The application site is not only within yards of a light controlled junction, immediately next to the driveway of the crematorium, with a steady stream of vehicles, mainly in cortège convoys, including hearses. The junction is busy throughout the day since the Covid-19 pandemic has meant that so many work from home and do not just travel during traditional rush hours.

Within their planning statement the applicant states that the proposed development will meet the required levels of vehicle car parking and is in a sustainable location and within the Transport Statement, the proposed development is considered in relation to the accessibility of the site, the provision of vehicle parking, servicing and vehicle movements.

WPC requests that Highways pay urgent attention to the following issues:

- Will the proposed development meet the required levels of vehicle parking? (Including whether it meets the requirements of the Appendix B of the VALP)
- Critical analysis of locational sustainability of the site (this also relates back to the principle and employment issues above).
- Critical analysis of the reported additional vehicle movements.

The Transport Statement concludes that the additional vehicle movements will not cause any material impact on the highway network. However, there is clearly an increase in vehicle movements resulting from the proposal. How will this impact the existing road system (including relating to traffic associated with the crematorium)?

Conclusion and objection

From the foregoing, it is self-evident that the design and appearance of this application makes it totally out of keeping, with unacceptable impact and consequences for the community.

Thames Valley Police, in its consultation response, state they have no objection provided high fencing and lighting for security are provided, these would be totally out of keeping and unacceptable to residents.

Further consultee comments include the need to have high fenced areas around machinery close to the crematorium. Why? Because they will be very noisy. No consideration was given here to the allotment holders trying to enjoy quiet and peaceful surroundings.

Residents of homes on the A413 side of Buckingham Park are within 50 meters of the application site. Their outlook, increased traffic and noise are unacceptable.

As a minimum, the applicant must be required to submit a fresh planning application, together with detailed plans, sequential test and other required reports.

Summary

The proposed industrial units are inappropriate and out of character in terms of scale, massing and design.

The applicant attempts to relate the proposal to the design and scale of buildings such as the Best Western and they also try to relate it to the cumulative built form of residential dwellings on Watermead. However, there is a significant difference between residential or commercial uses and a B8 industrial storage use.

Key arguments opposing the proposal will revolve around the loss of green space, the bulk and massing of the buildings, the impact of large areas of hardstanding and the inappropriate character of the site so close to residences. The impact is heightened as the

buildings would be positioned at the entrance of Watermead and would be highly visible from the main road and turning.

The applicant argues that landscaping can offset any potential impact of the proposed units. However, although landscaping can sometimes assist in improving the quality of a proposed scheme, it should not be used to try and mask what is unacceptable development in visual impact terms.

We ask that this application be refused.

WPC does not accept that this is a 'change of use' the extant permission is for a building which has never been built, and largely, would be welcomed by residents, as evidenced during the Extraordinary planning meeting and public exhibitions held by WPC over two days and one evening.

THE FOLLOWING IS A SITE ASSESSMENT SHOWING 3M+ SQUARE FEET OF AVAILABLE INDUSTRIAL/WAREHOUSE UNITS WITHIN A 10 MILE RADIUS OF AYLESBURY. NONE IS IN AREA AS AT RISK OF FLOOD AS WATERMEAD.

Site	Sq Ft	Size
Unit 21 Stocklake Park Industrial Estate, Farmbrough Close, Aylesbury, HP20 1DQ	4,940	4,940 Sq Ft / Industrial / Distribution
	220,000	4,771 to 220,000 Sq Ft / Industrial / General Industrial
Unit 23 Vale Industrial Estate, Southern Road, Aylesbury, HP19 9EW	4,042	4,042 Sq Ft / Industrial / General Industrial
Unit 10 March Place, Gatehouse Industrial Area, Aylesbury, HP19 8UG	2,382	2,382 Sq Ft / Industrial / General Industrial
Unit 1, Bicester Road, Aylesbury, HP19 8FN	5,676	5,676 Sq Ft / Industrial / General Industrial
Unit 3 Aylesbury Business Centre, Chamberlain Road, Aylesbury, HP19 8DY	6,580	6,580 Sq Ft / Industrial / General Industrial
Space Business Centre, Smeaton Close, Aylesbury, HP19 8FJ	505	484 to 505 Sq Ft / Industrial / General Industrial
Unit 20 Space Business Centre, Smeaton Close, Aylesbury, HP19 8FJ	491	491 Sq Ft / Industrial / General Industrial
Unit 43 Space Business Centre, Smeaton Close, Aylesbury, HP19 8FJ	505	505 Sq Ft / Industrial / General Industrial
The Future Centre, Smeaton Close, Aylesbury, HP19 8SZ	20,972	20,972 Sq Ft / Industrial / General Industrial
Unit 5 Symmetry Park, Samian Way, Aston Clinton, HP22 5WJ	184,000	184,000 Sq Ft / Industrial / General Industrial
Unit 6 Symmetry Park, Samian Way, Aston Clinton, HP22 5WJ	115,000	115,000 Sq Ft / Industrial / General Industrial
Unit 4 Symmetry Park, Samian Way, Aston Clinton, HP22 5WJ	86,375	86,375 Sq Ft / Industrial / General Industrial
Units 1&2 Millennium Point, Broadfields, Aylesbury, HP19 8YH	40,089	20,038 to 40,089 Sq Ft / Industrial / General Industrial
Unit 4 Millennium Point, Broadfields, Aylesbury, HP19 8YH	10,314	10,314 Sq Ft / Industrial / General Industrial
Unit 5 Anglo Business Park, Smeaton Close, Aylesbury, HP19 8UP	4,354	4,354 Sq Ft / Industrial / General Industrial
Unit 14 Anglo Business Park, Smeaton Close, Aylesbury, HP19 8UP	2,945	2,945 Sq Ft / Industrial / General Industrial
The Future Centre, Smeaton Close, Aylesbury, HP19 8SU	20,972	20,972 Sq Ft / Industrial / General Industrial
Unit 8, Bicester Road Industrial Estate, Faraday Road, Aylesbury, HP19 8RY	7,180	7,180 Sq Ft / Industrial / Distribution
Halls 1, 2 & 3, Rabans Lane, Aylesbury, HP19 8RT (Lucas)	46,712	10,010 to 46,712 Sq Ft / Industrial / General Industrial
Hall 1, Rabans Lane, Aylesbury, HP19 8RT	19,871	19,871 Sq Ft / Industrial / General Industrial
2, Rabans Lane, Aylesbury, HP19 8RT	10,010	10,010 Sq Ft / Industrial / General Industrial
Vantage 41, Aston Clinton, College Road North, Aylesbury,, HP22 5EZ	140,000	41,000 to 140,000 Sq Ft / Industrial / Distribution
Vantage 41, College Road North, Aston Clinton, Aylesbury, HP22 5EZ	387,684	8.9 acres / Industrial / Warehouse
Symmetry Park, Samian Way, College Road North, Aston Clinton, HP22 5EZ	450,000	120,000 to 450,000 Sq Ft / Industrial / Warehouse / Distribution
Tavis House Business Centre, Thame Road, Haddenham, HP17 8LJ	9,010	9,010 Sq Ft / Industrial / Distribution
7 And 8 Harvington Park, Pitstone Green Business Park, Pitstone, LU7 9GU	16,621	6,931 to 16,621 Sq Ft / Industrial / Light Industrial
C2 Regent Park, Summerleys Road, Princes Risborough, HP27 9LE	4,839	4,839 Sq Ft / Industrial / General Industrial
Unit 3 PLOT 4000, Westcott Venture Park, Aylesbury, HP18 0PH	11,180	11,180 Sq Ft / Industrial / General Industrial
Plot 1030, Westcott Venture Park, Aylesbury, HP18 0XB	16,240	8,130 to 16,240 Sq Ft / Industrial / General Industrial
Land For Industrial Use, Grovebury Road Retail Park, Leighton Buzzard, LU7 4UX	20,000	15,000 to 20,000 Sq Ft / Industrial / General Industrial
Units 1-8 Union Park, Grovebury Road, Leighton Buzzard, LU7 4TE	18,250	14,350 to 18,250 Sq Ft / Industrial / General Industrial
Units B Howland Industrial Estate, Howland Road, Thame, OX9 3GQ	1,963	1,963 Sq Ft / Industrial / General Industrial
Unit C Howland Industrial Estate, Howland Road, Thame, OX9 3GQ	1,758	1,758 Sq Ft / Industrial / General Industrial
2 Grovebury Place Estate, Leighton Buzzard, LU7 4SH	5,905	5,905 Sq Ft / Industrial / General Industrial
8 Commerce Way, Leighton Buzzard, Leighton Buzzard, LU7 4RW	6,402	6,402 Sq Ft / Industrial / General Industrial
Ascent 123 Ascent Logistics Park, Leighton Road, Leighton Buzzard, LU7 4RW	123,490	123,490 Sq Ft / Industrial / General Industrial
Ascent 35 Ascent Logistics Park, Leighton Road, Leighton Buzzard, LU7 4RW	34,710	34,710 Sq Ft / Industrial / General Industrial
Ascent 84 Ascent Logistics Park, Leighton Road, Leighton Buzzard, LU7 4RW	83,570	83,570 Sq Ft / Industrial / General Industrial
Ascent 78 Ascent Logistics Park, Leighton Road, Leighton Buzzard, LU7 4RW	77,840	77,840 Sq Ft / Industrial / General Industrial
Ascent 16 Ascent Logistics Park, Leighton Road, Leighton Buzzard, LU7 4RW	16,330	16,330 Sq Ft / Industrial / General Industrial
Ascent 59 Ascent Logistics Park, Leighton Road, Leighton Buzzard, LU7 4RW	59,450	59,450 Sq Ft / Industrial / General Industrial
Ascent 48 Ascent Logistics Park, Leighton Road, Leighton Buzzard, LU7 4RW	47,630	47,630 Sq Ft / Industrial / General Industrial
Ascent 14 Ascent Logistics Park, Leighton Road, Leighton Buzzard, LU7 4RW	14,140	14,140 Sq Ft / Industrial / General Industrial
Unit 7 Commerce Way, Leighton Buzzard, LU7 4RW	6,155	6,155 Sq Ft / Industrial / General Industrial
6A Commerce Way, Leighton Buzzard, LU7 4RW	6,556	6,556 Sq Ft / Industrial / General Industrial
Unit L7, Cherrycourt Way, Leighton Buzzard, LU7 4UH	7,564	7,564 Sq Ft / Industrial / General Industrial
Unit Q2 Cherrycourt Way, Leighton Buzzard, LU7 4UH	4,827	4,827 Sq Ft / Industrial / General Industrial
Unit S3 Cherrycourt Way, Leighton Buzzard, LU7 4UH	9,218	9,218 Sq Ft / Industrial / General Industrial
32 High Street, Waddesdon	5,300	5,300 Sq Ft / General Industrial, General Retail, Industrial, Retail
UNITS 2-5, FARADAY ROAD AYLESBURY HP19 8RY	23,776	5,871 - 23,776 Sq Ft / Industrail
6 Garside Way, Stocklake, Aylesbury, Buckinghamshire, HP20	3,420	3,420 Sq Ft / General Industrial, Industrial
Stocklake Park Industrial Estate - Unit C, Farmbrough Close, Aylesbury, HP20 1DQ	5,780	5,780 Sq Ft / General Industrial, Industrial
Bicester Road, Aylesbury, HP19 8FN	4,181	4,181 Sq Ft / Distribution Warehouse, Industrial, Storage
Westcott Venture Park, Aylesbury, Buckinghamshire, HP18 0PH	50,000	1,000 - 50,000 Sq Ft / Office, Warehouse, General Industrial
Unit 22 Vale Industrial Estate, Southern Road, Aylesbury, HP19 9EW	25,924	25,924 sq. ft. / Light industrial facility to lease
Brunel House, Brunel Rd, Aylesbury HP19 8SS	12,476	12,476 sq ft / Ground Floor Commercial
1-3 Farmbrough Close, Stocklake Park, Aylesbury HP20 1DQ	24,055	24,055 sq ft / Industrial
Units 14 - 20, Pegasus Way, Tavis House Business Centre, Aylesbury HP17 8LJ	15,783	15,783 sq ft / General industrial
Units 5 - 13, Pegasus Way, Tavis House Business Centre, Aylesbury HP17 8LJ	28,936	28,936 sq ft / General industrail
Unit 4-9, Drakes Dr, Crendon Industrial Park, Aylesbury HP18 9BF	73,976	73,976 sq ft / Warehouse
Plot 4000 Westcott Venture Park, Westcott, Buckinghamshire HP18	25,700	25,700 sq. ft / Warehouse
Westcott Venture Park	300,000	300,000 sq ft / Land available for design and build
Unit 1A Drakes Drive, Crendon Industrial Park	2,568	2568 sq ft / Warehouse
Unit 9 - 10, Meadow View, Long Crendon, HP18 9EQ	6,123	6123 sq ft / Storage
Haddenham	3,494	3,494 sq ft / Warehouse
	Total	3,006,739 Square Feet of Warehouse/General Industrial/Storage and Land.
		All available within a 10 mile radius of Aylesbury



Industrial / Warehouse Unit To Let, Unit 22-23 Vale Industrial Estate, Southern Road, Aylesbury, HP19 9EW
4,042 to 36,313 Sq.. Ft / Industrial / General Industrial



High Quality Industrial Accommodation., Unit 4 Symmetry Park, Samian Way,

**MOST OF THESE UNITS ARE BUILT
WITHIN PROPERLY DESIGNATED
INDUSTRIAL ESTATES**



Units 1&2 Millennium Point, Broadfields, Aylesbury, HP19 8YH
20,038 to 40,089 Sq. Ft / Industrial / General Industrial



Unit 4 Millennium Point, Broadfields, Aylesbury, HP19 8YH
10,314 Sq. Ft / Industrial / General Industrial

THEY ARE NOT BUILT ON ROUTES WHERE
CHILDREN WALK AND CYCLE TO SCHOOL, AND
JOGGERS ARE ON THEIR EARLY MORNING RUNS



The Future Centre, Smeaton Close, Aylesbury, HP19 8SU
20,972 Sq. Ft / Industrial / General Industrial



Vantage 41, Aston Clinton, College Road North, Aylesbury,, HP22 5EZ

THEY ARE NOT BUILT ON BUSY COMMUTER
CROSSROADS, WITH THE ENTRANCE ON THE
ONLY ROAD IN AND OUT OF A VILLAGE



**New Warehouse / Industrial Units, Vantage 41, College Road North, Aston
Clinton, Aylesbury, HP22 5EZ**
8.9 acres / Industrial / Warehouse



A41 Connect Westfield Road, Pitstone, LU7 9GU
4,771 to 220,000 Sq. Ft / Industrial / General Industrial

THEY ARE NOT BUILT WHERE THEY
WILL CAUSE LIGHT OR NOISE
POLLUTION TO LOCAL RESIDENTS

THERE IS PLENTY OF LAND AVAILABLE ON LOCAL, PROPERLY DESIGNATED INDUSTRIAL AREAS FOR THESE UNITS TO BE BUILT, AND THAT'S WHERE THEY SHOULD BE BUILT.

AND FINALLY...

- *Wide open green spaces are what makes Watermead unique in Aylesbury, and also makes it an area which is frequently enjoyed by many Aylesbury residents.*
- *Reducing these spaces will rob Watermead and Aylesbury of scarce leisure space and reduce the area of valuable biodiversity, impacting on its rich and varied wildlife*

APPENDIX II

Landscape Appraisal – Watermead Parish (Extract from M Leay report to WPC 2018)

MLA340 Watermead_210618 11/17

4 THE NEED FOR LANDSCAPE APPRAISAL/LANDSCAPE AND VISUAL IMPACT

ASSESSMENT

4.1 It cannot be disputed that any properly submitted planning application for the crematorium building, car park and landscape works (including removal of onsite trees) should have been accompanied by a detailed Landscape Appraisal or a full Landscape and Visual Impact Assessment; this conclusion is reached given two significant factors:

i) The crematorium proposal is very clearly not a recreationally-related use...for which the land was originally intended as part of the overall landscape plan.

ii) The MLA findings (see Section 5 of this document) that the Watermead site most certainly does comprise a “valued landscape” when considered against all appropriate factors and criteria for assessment – as principally set out within the best practice LVIA guidelines (referenced at Section 1.4 above) and in particular with the identified factors set out within Box 5.1 of that publication – by reference to which MLA have “tested” the Watermead site.

4.2 It has been communicated to MLA that as well as there having been no LVIA undertaken by the applicant for/developer of the crematorium site, at Planning Committee it was reported to Members that the Council’s own Landscape Officer had indicated to planning officers that the Watermead site could never be considered to be a valued landscape and therefore the omission of such landscape assessment was not a matter for concern or a material consideration.

4.3 The MLA Landscape Assessment and findings are wholly at odds with any such conclusion and it is incomprehensible how any such conclusion could have been reached, particularly had a full and proper LVIA been undertaken as part of reviewing the “receptor” site for the development and its impact on the character and visual amenity of the immediate area around the crematorium building and parking areas.

MLA340 Watermead_210618 12/17

5 MLA LANDSCAPE APPRAISAL

5.1 The overall Watermead residential and associated development, including hotel and leisure facilities, as well as open-air sports provision was undertaken on former, poorly drained agricultural land – for which the Watermead lake is an essential part of flood attenuation for the developed areas.

5.2 The combination of designed open-space/landscape areas with adjacent or combined nature conservation interests – e.g. the water meadows, water courses and open water, tree planting and other habitat creation – all combine to provide a very extensive area of land designed and managed as an enhanced landscape setting, and for its amenity and nature conservation interests, particularly to the adjacent development areas around the Watermead open space land.

5.3 The remaining parts of this Section are therefore set out in the context of these designed and managed qualities of the Watermead open landscape areas and to reflect their role in providing a high quality landscape setting to the associated development, as well as provision of open access

for recreation and amenity purposes.

Site and Local Area Character

5.4 Factors assessed in the identification of landscape value:

Landscape Quality (Condition)

5.5 As shown in the aerial photographs and from MLA on-the-ground inspection, the overall Watermead site comprises an exceptionally high quality and diverse mix of landscape elements and habitat, including water meadows and damp grassland, water bodies and lake, woodland and individual tree/shrub/scrub areas, dry grassland and areas used for informal recreation.

5.6 Whether managed for landscape, amenity or nature conservation purposes the range of landscape and habitat is particularly diverse and wholly atypical for an area considered by the Council to be 'urban fringe'. Its ecological value could doubtless be comprehensively catalogued but evidently it provides an integrated suite of habitats that have been created and managed for nature conservation purposes.

5.7 The overall condition of the landscape appears very good.

Scenic Quality

5.8 The site is highly attractive for users – whether walking along the circular path around the lake, including through some woodland areas – or using the public open space areas for informal recreation – or for more organised community events.

Rarity

5.9 As large scale, landscape/open space areas with diverse nature conservation habitats, the whole Watermead area is a relatively rare resource on the 'urban fringe' of both Aylesbury and the Watermead residential areas. In contrast to farmed areas, open countryside and linear routes of public rights of way, which may be attractive in their own rights, both the circular walks and the open space areas are especially attractive, enhanced as they are by the lakeside/woodland/open space setting.

MLA340 Watermead_210618 13/17

Representativeness

5.10 The combination of features and elements of the designed landscape is particularly diverse for an edge of settlement/edge of countryside setting and these are qualities which are not so represented in areas which are simply farmed or general countryside. The particular character of the landscape was designed for, and remains, to provide mostly public access and informal recreation in a highly attractive landscape with high nature conservation interests (see below).

Conservation Interests

5.11 The range of habitats have resulted from and continue to be of interest to such organisations as the Berks, Bucks and Oxon Wildlife Trust, the Aylesbury Vale District Council Biodiversity Officer and Vale Countryside volunteers – all of whom have an ongoing working relationship with WPC in terms of biodiversity, ecology and habitat interests of the Watermead land.

Recreation Value

5.12 For both informal recreational walks and use of the open space land, the wider setting and perception of a high quality landscape is especially important. In addition, more organised recreational activities also take place within the Watermead land and again the highly attractive

landscape setting provides the context for such informal or formal activity.

5.13 Also of note is that the original planning permission for Watermead included a Section 52 Agreement (under the then Town and Country Planning Act 1971 legislation to protect public interest in all amenity land within Watermead). That legal agreement details the recreation and leisure facilities to be provided and which included the scenic lake, the public recreation meadow, the wildlife reserve, jogging tracks and footpath, lakeside clubhouse and the ski slope shop and café. As noted in the WPC consultation response of 13th November 2017 to the planning application (Reference 14/01575/APP):

5.14 “WPC public amenity land surrounds the site on all sides...this land has allowed us to achieve a wonderful sense of community in Watermead and is heavily used by walkers, dog walkers, keep fit groups (for health and wellbeing), for family picnics, local scouts, beavers and cub groups, fetes and events, outdoor concerts, plant sales, joggers and cyclists, walks, charity runs and much more.”

5.15 The Parish Council representation then summarised that:

“The adjoining land to the south-west is used by visiting circuses several times a year, and is known locally as the “Circus Field”. The land to the south-east is regularly used by hot-air balloonist for popular meetings...which are welcomed by the local community and add colour and vitality to the local scene.”

5.16 The village allotments are to the south-west and adjoin the proposed Memorial Gardens.

Perceptual Aspects

5.17 All of the Watermead open space land is known to be protected and for many areas under the watchful control of the owners, WPC. The perception by local residents and users of the various open space/informal amenity areas is therefore one of tranquil landscape dedicated to open air recreation and relaxation, albeit with the previous ski slope/restaurant provision as a previous more formal recreation use.

MLA340 Watermead_210618 14/17

5.18 In contrast a facility for funerals, cremation and scattering of ashes is not a complementary use on land that is highly visible from many areas of public access and also in close proximity to the lakeside walk. Of course, in the right location, a crematorium facility deserves to be respected and in relation to the bereavement felt by family and friends at such times – which is why the siting of the crematorium building and facility is considered so inappropriate, in principle, to the perceived high value of the extensive adjoining landscape/open space area.

Associations

5.19 Although not a historical landscape or area associated with any particular historical events, the current associations and use of the land make it all the more significant to members of both the local Watermead community and the wider catchment of people who use the fields for more organised recreational events.

Visual Amenity

5.20 Although, to a large extent, this is included under the scenic quality factor within the range of factors which contribute to “value” landscapes, in the case of Watermead, the visual amenity is especially important as the Watermead open space areas and circular walks were an integral part

of the residential design for the Watermead housing areas.

5.21 The specific landscape/open space/nature conservation and amenity land interests were designed to complement the overall Watermead project as a self-contained village with new sport, leisure and recreational facilities – related to which, as noted in the next section, the implemented crematorium scheme brings with it a range of adverse impacts.

MLA340 Watermead_210618 15/17

6 ADVERSE IMPACTS OF THE IMPLEMENTED CREMATORIUM SCHEME

6.1 The main adverse impacts of the crematorium as related to the identification of the Watermead open space land as “valued landscape” are:

- i) The extent of the built form and associated roadways, access and car parking is out of character, as well as visually intrusive to the Watermead valued landscape setting.
- ii) The crematorium building both in terms of form and function is an inappropriate intrusion within a surrounding valued landscape setting.
- iii) The extent of exposed retaining walls and removal of trees creates a scar on the landscape as evidenced by the WPC before and after comparison photographs and the MLA on-the-ground/ drone aerial photographs.
- iv) Crematorium use will generate traffic throughout the day on a regular basis and which traffic movements are also disruptive to the tranquillity and amenity of the wider area.
- v) The sheer scale and extent of the building, its greatly expanded hardstanding and car park areas, access roads and retaining wall to the hill slopes are all incongruous to the valued landscape setting.
- vi) The use of the facility and mood of people attending brings with it a sombre and sad/grieving ambiance (even if, alongside, such funeral events are a celebration of a person’s life) and which crematorium activity is not compatible with open air leisure, recreation and enjoyment on land designated specifically for that purpose.

MLA340 Watermead_210618 16/17

7 CONCLUSIONS

7.1 This MLA Landscape Appraisal has followed the principles and process of best practice guidelines when undertaking Landscape and Visual Impact Assessment, as related to development proposals which fall outside the requirements of the Environmental Impact Assessment Directive and Regulations.

7.2 The requirement to undertake a Landscape Appraisal (or full LVIA) should always apply where a planning application is likely to give rise to concerns about effects on the landscape and/or visual amenity. In the case of the Aylesbury Vale planning application 14/01575/APP for the erection of a crematorium with access road, bridge, car parks and ancillary works and associated landscaping, the likely impacts should have been acknowledged to require a full evaluation related to landscape character, visual amenity and overall landscape value; when not provided by the applicant this should have been insisted upon by the Council.

7.3 With the original planning permission having been quashed on 17th March 2017 it is of note that the opportunity for Landscape Appraisal or LVIA to be undertaken was again not pursued either by the applicant or the Council. The MLA Landscape Appraisal undertaken in accordance with

the best practice guidelines of the Third Edition Publication by the Landscape Institute and Institute of Environmental Management and Assessment (2013) has concluded that:

- i) The area context for the crematorium is a valued landscape
- ii) The adverse impact of the crematorium, roadways and car parking, together with its use, is incompatible with, as well as being seriously harmful to, the surrounding valued landscape.

7.4 The Crematorium application site sits within a valued landscape context, surrounded by land that has been purposely designed and managed as a high quality landscape, with important amenity and nature conservation interests – as well as providing open spaces for both formal and informal public use and enjoyment.

7.5 The NPPF Para 109 stipulation that there should be protection and enhancement of valued landscapes has been disregarded within the application documents, any supporting material or the Council's own assessment – even though the application Design and Access Statement at Para 3.2.2 references the NPPF Para 109 context but then with no further related evaluation.

7.6 The MLA Assessment and Conclusions relating to the valued landscape area around the application site are based on specific evaluation of factors that should always be used to assess whether a “valued landscape” exists. Such areas are therefore accorded the over-arching NPPF Policy protection when identified as “valued” landscape.

7.7 The GLVIA document and Box 5.1 factors have been used to evaluate the Watermead site and the identification of valued landscape – all such factors, to a greater or lesser extent on an individual basis, and certainly when considered together, result in a combined assessment of the Watermead site and setting being a “valued landscape”. Further it cannot be doubted that WPC are being entirely reasonable and balanced in highly valuing their local landscape at Watermead, as indicated for example by their public statements cited at 5.14 & 5.15 above. That being so, it is they who are most entitled to hold opinions as to what is “valued” in terms of their local landscape for the purposes of NPPF paragraph 109.

7.9 In the absence of any proper Landscape Appraisal or LVIA, the Officer Report to Committee is therefore considered to be deficient and unfit for purpose in its treatment of, or conclusions regarding, landscape considerations. As a result, the surrounding landscape context has been

MLA340 Watermead_210618 17/17

either ignored and wrongly assessed in terms of its landscape value. Any grant of planning permission in the absence of proper landscape assessment would be flawed and unsound, since the local landscape context – and value – has simply not been assessed properly or given due consideration in the planning process.

7.10 As a footnote, in terms of whether the location of the site and its wider parkland surroundings should be regarded as ‘urban fringe’ or ‘open countryside’ calls for some exposition. MLA consider that ‘urban fringe’ has the connotation of a relatively narrow, marginal strip beyond an urban area, possibly of impaired landscape quality and potentially ripe for urban expansion. As such it is a wholly inappropriate and misleading label to apply to an area such as the carefully designed Watermead open space and areas designed/managed specifically for landscape, amenity, public access and nature conservation purposes.

7.11 However, even if the term urban fringe were to be applied, this cannot detract from the force of

MLA analysis and conclusions that the Watermead land area comprises a valued landscape; as such the land should be accorded all relevant protection and enhancement, in accordance with the NPPF Paragraph 109 imperative.