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Declarations of Interest

Any Member attending the meeting is reminded of the requirement to declare if he/she has a personal interest in any item of business, as defined in the Code of Conduct. If that interest is a prejudicial interest as defined in the Code the Member should also withdraw from the meeting.

A G E N D A

(Pages)

1. **Apologies for Absence**
2. **Minutes**
To confirm the minutes of the meeting held on 28 September 2016. **(6 - 9)**
3. **Minutes of 31 August 2016**
The headings of the minutes of the 31 August 2016 were formatted incorrectly. An amended version is now attached for your approval. Please note, this did not affect any decision made. **(10 - 14)**
4. **Applications and Plans**
 - A. *Committee decision required following a site visit and/or public speaking.*
 - 14/02436/FUL - Pioneer House, Hollybush Hill, Stoke Poges **(15 - 23)**
 - 16/01394/FUL - Land At Scopello, Beeches Road, Farnham Common **(24 - 35)**
 - 16/01418/FUL - Land Rear Of Honey Cottage And The Brooms, Green Lane, Farnham Common **(36 - 46)**
 - 16/01460/FUL - Friars Cottage, 38 Fulmer Road, Gerrards Cross **(47 - 52)**
 - 16/01500/FUL - 45 St Huberts Close, Gerrards Cross **(53 - 60)**
 - 16/01517/FUL - Northfield, 40 Penn Road, Beaconsfield **(61 - 73)**
 - B. *Committee decision required without a site visit or public speaking*
 - C. *Committee observations required on applications to other Authorities*
 - D. *To receive FOR INFORMATION a list of applications already determined under delegated authority by the Head of Sustainable Development* **(74 - 105)**
5. **Enforcement Notice Progress Report**
To receive for information. **(106 - 111)**
6. **Planning Appeals and Schedule of Outstanding Matters**
To receive for information. **(112 - 113)**
7. **Land and buildings at Al Muhassan Mosque (Mosque Al-Mohsin), Windmill Lane, Fulmer, Bucks SL3 6HF**
To consider the report of the Director of Services. **(114 - 120)**

Appendix 1 **(121)**
Appendix 2 **(122 - 126)**

	<i>Appendix 3</i>	(127 - 128)
8.	South End Cottage, Middle Green, Wexham, SL3 6BS	
	To consider the report of the Director of Services.	(129 - 134)
	<i>Appendix 1</i>	(135)
	<i>Appendix 2</i>	(136 - 141)
	<i>Appendix 3</i>	(142 - 148)
	<i>Appendix 4</i>	(149 - 156)
9.	Urgent Business	
	To consider any matters which the Chairman agrees as urgent in accordance with Section 100B of the Local Government Act 1972.	

The next meeting is due to take place on Wednesday, 23 November 2016

PLANNING COMMITTEE

Meeting - 28 September 2016

Present: Mrs Lowen-Cooper* (Chairman)
Mr Chhokar, Mr Anthony*, Mr Egleton*, Miss Hazell*, Mrs Jordan*,
Dr Matthews*, Mr Sandy and Mr D Smith*

Also Present: Mr Naylor

Apologies for absence: Mrs Gibbs

*Members attended site visits.

28. MINUTES

The minutes of the meeting held on 31 August 2016 were confirmed and signed by the Chairman.

29. APPLICATIONS AND PLANS

Key to the following decisions:

ADV - Consent to Display Adverts; ARM - Approval of Reserved Matters; CI - Certificate of Lawfulness Issued; CON - Conservation Area Consent; D - Deferred; D (INF) - Deferred for Further Information; D (SV) - Deferred for Site Visits; D (PO) - Deferred for Planning Obligation; D (NEG) - Deferred for Negotiations; FCG - Consent for Tree Work; PCR TPO Part Consent/Part Refusal; LBC - Listed Building Consent; OP - Outline Planning Permission; P - Application Permitted; R - Refused or Rejected; R (AO) – Refused against Officer recommendation; RC - Removal of Condition; TC - Temporary Consent; TP - Temporary Permission; ULBC - Unconditional Listed Building Consent; UP - Unconditional Permission; VG - Variation Granted; W - Application Withdrawn.

(A) COMMITTEE DECISION REQUIRED FOLLOWING A SITE VISIT AND/OR PUBLIC SPEAKING:-

		Decision
Plan Number:	16/00346/FUL	R(AO)
Applicant:	McCarthy and Stone	
Proposal:	Redevelopment of site to provide one block comprising 22 apartments of 'Retirement Living' for the elderly. Associated communal facilities, parking and landscaping. Construction of vehicular access.	
Notes:		
<ol style="list-style-type: none"> 1. A site visit was undertaken by Members. 2. Prior to consideration of the application, Paul Dickinson and Jerry Houdret (on behalf of the objectors), and Gavin Cooper (on behalf of the applicant) 		

addressed the meeting.

3. One further email of objection was received.

RESOLVED that the application be refused, contrary to the officer recommendation, for the following reasons.

1. The proposed development, by virtue of its height, form, scale, massing, siting and layout, would appear out of scale with and over dominant, overbearing and obtrusive when viewed from the properties located to the north and east of the site and in particular when considered in the context of the extant planning permissions for the residential redevelopment of sites to the north and east of the application site. The proposed development would also overlook these sites to the north and east and would result in an unacceptable loss of privacy and daylight to both the existing and future occupiers of these sites. Consequently the proposal amounts to an overdevelopment of the site that would adversely affect the character and amenities of both the existing and proposed developments in its vicinity and in the locality in general, contrary to policies EP3, EP5 and H9 of the South Bucks District Local Plan (adopted March 1999).
2. The proposal has failed to include the provision of a sufficient amount of useable amenity space to serve this form of development satisfactorily, to the detriment of the future occupiers of the proposed development. This is also indicative of the proposal amounting to an overdevelopment of the site contrary to policy H9 of the South Bucks District Local Plan (adopted March 1999).

(B) COMMITTEE DECISION REQUIRED WITHOUT A SITE VISIT OR PUBLIC SPEAKING:-

The Committee received for information a list of the applications dealt with under delegated authority by the Head of Sustainable Development.

(C) COMMITTEE OBSERVATION REQUIRED ON APPLICATIONS TO OTHER AUTHORITIES:-

None

(D) APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY

The Committee received for information a list of the applications dealt with under delegated authority by the Head of Sustainable Development.

30. ENFORCEMENT NOTICE PROGRESS REPORT

The Committee received for information a progress report which set out the up-to-date position relating to Enforcement Notices.

RESOLVED that the report be noted.

31. **PLANNING APPEALS AND SCHEDULE OF OUTSTANDING MATTERS**

The Committee received for information a progress report which set out the up-to-date position relating to Planning Public Inquiries, Hearings and Court Dates.

RESOLVED that the report be noted

32. **LAND AT PLUM TREE COTTAGE, EAST BURNHAM LANE, FARNHAM ROYAL, BUCKINGHAMSHIRE, SL2 3TL**

The Members of the Planning Committee considered a report requesting authority to issue and serve an Enforcement Notice in relation to the unauthorised change of use of land at Plum Tree Cottage, East Burnham Lane, Farnham Royal, Bucks, SL2 3TL, to use for the stationing of a mobile home, occupied as a unit of independent residential accommodation, and the associated parking and/or storage of motor vehicles.

It was clarified to the Committee that the mobile home stationed at the property was currently entitled to be located there under Permitted Development rights, which allows a mobile home to be situated on the land whilst lawful repairs and maintenance are occurring. However – as Members were updated – information had come forward from the landowners' solicitor which informed the Council that unauthorised works are currently being undertaken to extend the building. As such, enforcement investigations are continuing.

A Part II report was also available to Members, with further detail of the personal circumstances of the two occupiers of the mobile home.

After discussion and questions and answers from Members, the Committee **RESOLVED**:

To delegate authority to the Head of Sustainable Development, in consultation with the Head of Legal & Democratic Services:

1. To issue and serve an Enforcement Notice or Enforcement Notices if appropriate, for those breaches of planning control and for the reasons for which he considers it to be expedient to take enforcement action; and
2. In the event that any Notice or Notices issued are not complied with, to take legal proceedings to secure compliance.

33. **EXCLUSION OF PRESS AND PUBLIC**34. **LAND AT APEX WORKS, WILLOW AVENUE, NEW DENHAM, BUCKS, UB9 4AF**

The Committee received a report updating Members as to the current position on site, following the Committee's decision on 3 August 2016. This resulted from a site visit carried out by the Senior Housing Standards Officer on 2 September 2016, following the service of an Enforcement Notice on 4 August 2016.

The report detailed that there had been no evidence found of a material change of use, and further clarified that the Fire Safety service was keeping a close eye on the property

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particularly in respect of the safety of residents. Members were updated that an appeal against the Enforcement Notice has now been lodged.

It was therefore **RESOLVED** by the Committee that the current Enforcement Notice should be kept in place.

The meeting terminated at 5.13 pm

PLANNING COMMITTEE**Meeting - 31 August 2016**

Present: Mrs Lowen-Cooper* (Chairman)
Mr Chhokar, Mr Anthony*, Mr Egleton*, Mrs Gibbs*, Mrs Jordan,
Dr Matthews*, Mr Samson and Mr D Smith*

Apologies for absence: Miss Hazell and Mr Sandy

*Members attended site visits

23. MINUTES

The minutes of the meeting held on 3 August were confirmed and signed by the Chairman.

24. APPLICATIONS AND PLANS

Key to the following decisions:

ADV - Consent to Display Adverts; ARM - Approval of Reserved Matters; CI - Certificate of Lawfulness Issued; CON - Conservation Area Consent; D - Deferred; D (INF) - Deferred for Further Information; D (SV) - Deferred for Site Visits; D (PO) - Deferred for Planning Obligation; D (NEG) - Deferred for Negotiations; FCG - Consent for Tree Work; PCR TPO Part Consent/Part Refusal; LBC - Listed Building Consent; OP - Outline Planning Permission; P - Application Permitted; R - Refused or Rejected; R (AO) – Refused against Officer recommendation; RC - Removal of Condition; TC - Temporary Consent; TP - Temporary Permission; ULBC - Unconditional Listed Building Consent; UP - Unconditional Permission; VG - Variation Granted; W - Application Withdrawn.

(A) COMMITTEE DECISION REQUIRED FOLLOWING A SITE VISIT AND/OR PUBLIC SPEAKING:-

		Decision
Plan Number:	16/00346/FUL	D(INF)
Applicant:	McCarthy and Stone	
Proposal:	Redevelopment of site to provide one block comprising 22 apartments of 'Retirement Living' for the elderly. Associated communal facilities, parking and landscaping. Construction of vehicular access at Phil Whitaker Cars, Beaconsfield Road, Farnham Common	
Notes: The application was withdrawn from the agenda by Officers, following further legal advice.		
		Decision
Plan Number:	16/00413/FUL	R(AO)
Applicant:	Logi Homes Ltd	
Proposal:	Replace detached dwelling with a pair of semi-detached dwellings with associated garaging and onsite parking	

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	at 10 Baring Crescent, Beaconsfield	
Notes:		
<ol style="list-style-type: none"> 1. A site visit was undertaken by Members. 2. Prior to consideration of the application, Brian Wark (on behalf of the objectors) addressed the meeting. 		
<p>RESOLVED that the application be refused on the grounds that the proposal constitutes a cramped over-development that is out of keeping with the character of the street scene. Use of the cramped parking arrangements will not be practical and the rear amenity areas are inadequate for dwellings of this scale. As such, this over-ambitious scheme is contrary to the requirements of policies EP3, H9 and TR7 of the South Bucks District Local plan (adopted March 1999).</p>		
		Decision
Plan Number:	16/00908/FUL	P
Applicant:	Mr & Mrs McManus	
Proposal:	Replacement dwelling at Dittisham House, 31 Marsham Way, Gerrards Cross	
Notes:		
<ol style="list-style-type: none"> 1. A site visit was undertaken by Members. 2. One further letter of objection was received. 3. Prior to consideration of the application, John Allkins (on behalf of the objectors) addressed the meeting. 4. An additional 3 informatives were added by the Committee as follows: <ol style="list-style-type: none"> i. During the implementation of the development regard should be had to avoiding construction traffic in the vicinity of the site during peak hours for school traffic at the beginning and end of the school day. In particular, lorries should be organised so that they do not come to and from the site during the hours of 08.30-09.00 in the morning and 15.30-16.00 in the afternoon. ii. The materials to be used for the development required under condition number 3 should be in keeping with the locality. For example the use of white render for the majority of the building and the use of black detailing for window surrounds etc. would be in keeping with the character of the area. iii. During construction of the development regard should be had to the local underground drainage and water run-off to ensure that there is no adverse impact on the area. 		
		Decision
Plan Number:	16/01161/FUL	R(AO)
Applicant:	Mr Stribling	
Proposal:	Part retrospective application for conservatory and addition of fencing on top of existing wall at Beaconsfield Masonic and Community Centre, The Old School House, Windsor End, Beaconsfield	
Notes:		
<ol style="list-style-type: none"> 1. A site visit was undertaken by Members. 2. Prior to consideration of the application, Paul Ormston (on behalf of the 		

objectors), and John Stribling (on behalf of the applicant) addressed the meeting.

RESOLVED that the application be refused as due to its inappropriate materials and design, the proposed development would fail to preserve or enhance the character or appearance of the Conservation Area and is unsympathetic to the appearance and setting of the listed building to which it is attached. As such the conservatory and fencing are contrary to the requirements of policies C1 and EP3 of the South Bucks District local Plan (adopted March 1999).

ADDITIONAL INFORMATIVE: the conservatory constitutes unauthorised and unlawful development that should be removed immediately. Failure to do so will result in the District Planning Authority considering the expediency of enforcement action to secure the permanent removal of the conservatory. The applicant is recommended to take immediate steps to obviate the need for such action.

		Decision
Plan Number:	16/01162/LBC	R(AO)
Applicant:	Mr Stribling	
Proposal:	Listed building consent application for Conservatory and addition of fencing on top of existing wall at Beaconsfield Masonic and Community Centre, The Old School House, Windsor End, Beaconsfield	

Notes:

1. A site visit was undertaken by Members.
2. Prior to consideration of the application, Paul Ormston (on behalf of the objectors), and John Stribling (on behalf of the applicant) addressed the meeting.

RESOLVED that the application be refused as due to its inappropriate materials and design, the proposed development would harm the character, appearance and setting of the listed building to which it is attached. As such the conservatory and fencing are contrary to the requirements of policy C6 of the South Bucks District local Plan (adopted March 1999).

ADDITIONAL INFORMATIVE: the conservatory constitutes unauthorised and unlawful development that should be removed immediately. Failure to do so will result in the District Planning Authority considering the expediency of enforcement action to secure the permanent removal of the conservatory. The applicant is recommended to take immediate steps to obviate the need for such action.

		Decision
Plan Number:	16/01298/FUL	R(AO)
Applicant:	Mr Ricky Bika	
Proposal:	Front porch. Part single part two storey part first floor front/side/rear extension incorporating integral garage at 41 St Huberts Close, Gerrards Cross	

Notes:

1. A site visit was undertaken by Members.
2. One further letter of objection was received.
3. Prior to consideration of the application, John Fidler and Perry Mahoney (on

behalf of the objectors), and Jon Dingle (on behalf of the applicant) addressed the meeting.

RESOLVED that due to its scale and design the proposed development is out of keeping with the character of the area and furthermore is unsympathetic and inappropriate in the context of this Area of Special Character as defined in the South Bucks Townscape Character Study Part 2 (February 2014). The development would be obtrusive and overdominant in the street scene and is beyond the reasonable limits of what would be appropriate. As such the proposed development is contrary to the requirements of policies EP3 and H11 of the South Bucks District Local Plan (adopted March 1999) and inconsistent with the guidance in the South Bucks Townscape Character Study.

(B) COMMITTEE DECISION REQUIRED WITHOUT A SITE VISIT OR PUBLIC SPEAKING:-

		Decision
Plan Number:	16/00744/FUL	P
Applicant:	Mr R Clarke	
Proposal:	Replacement dwelling with detached garage and entrance gates at Curzon House, 48 Penn Road, Beaconsfield	
Notes:		
1. Prior to consideration, Members were informed that this application had been brought back to Committee following the applicant providing further detail as requested by the Committee.		
2. Two further letters of objections had been received.		
Plan Number:	16/01263/FUL	P
Applicant:	South Bucks District Council	
Proposal:	Single storey industrial premises to contain 4 individual units for B1 (Business) and B8 (Storage or Distribution) use.	
Notes:		
1. Amendments were made to Condition 12 following further comments from the Strategic Environment Team.		

(C) COMMITTEE OBSERVATION REQUIRED ON APPLICATIONS TO OTHER AUTHORITIES:-

None

(D) APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY

The Committee received for information a list of the applications dealt with under delegated authority by the Head of Sustainable Development.

25. ENFORCEMENT NOTICE PROGRESS REPORT

The Committee received for information a progress report which set out the up-to-date position relating to Enforcement Notices.

Further verbal updates were given at the meeting as follows:

South End Cottage, Middle Green, Wexham – a warrant has been granted by the Magistrate’s Court for a site visit. This was issued on the 23 August, to be used within 1 month.

RESOLVED that the report be noted.

26. **PLANNING APPEALS AND SCHEDULE OF OUTSTANDING MATTERS**

The Committee received for information a progress report which set out the up-to-date position relating to Planning and Enforcement Appeals, Public Inquiries and Hearings.

RESOLVED that the report be noted

27. **LAND AT 61 SAVAY CLOSE, DENHAM**

The Committee received a report requesting the authority to issue and serve an Enforcement Notice in relation to unauthorised construction of a first floor balcony at 61 Savay Close, Denham, UB9 5NQ.

The report detailed that the construction of a first floor balcony at the rear of the property had occurred within the last four years, with a complaint being received in June 2013. Council Officers attempted to gain entry to the property, but have been unable to do so; as such, the unauthorised development has been viewed from neighbouring land.

The owners have been written to on numerous occasions, seeking both access to the property and the removal of the unauthorised development. Despite assurances from the owners that a planning application would be submitted, none have been forthcoming – a site visit on 1 August 2016 confirmed that the unauthorised development was still in situ and further to this, a letter had been sent to the owners informing them that authority was being sought to take enforcement action seeking the removal of the unauthorised development. Representations, received from the owners, were appended to the report and considered by the Committee.

Members were advised that the reasons for expediency included the unacceptable and inappropriate level of overlooking of the rear garden areas of the two neighbouring properties, 59 and 63 Savay Close, and an adverse impact on the residential amenities of these properties.

After discussion, the Committee **RESOLVED** that:

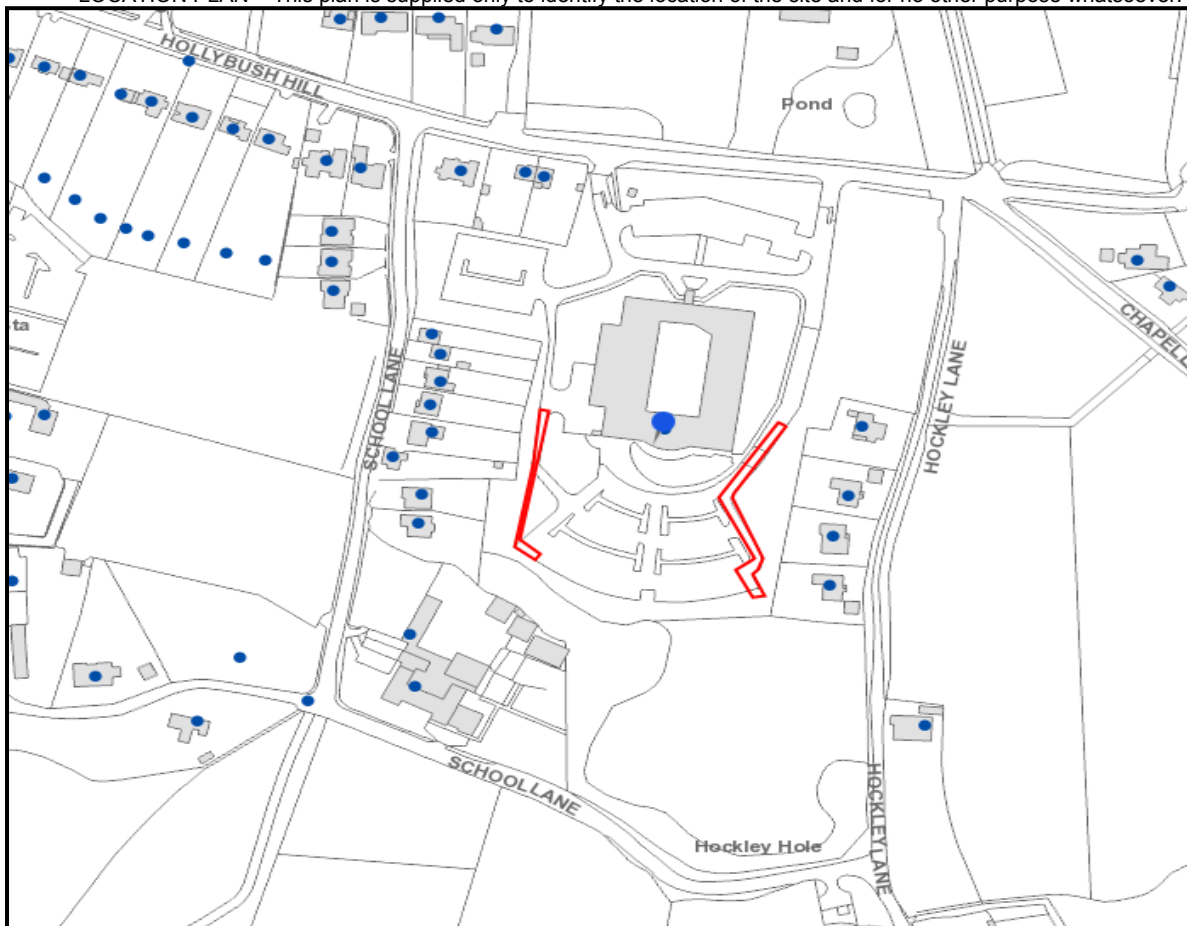
1. An Enforcement Notice be issued and served pursuant to Section 172 of the Town and Country Planning Act 1990 in relation to the unauthorised development being the construction of a first floor balcony to the rear of the property at 61 Savay Close, Denham, UB9 5NQ for the reasons of expediency set out in Section 4 of the Report and further in the event that the Enforcement Notice is not complied with that authority be given to the Head of Legal and Democratic Services to take legal proceedings to secure compliance therewith.

The meeting terminated at 6.02 pm

PART A**South Bucks District Council
Planning Committee****Date of Meeting:** 26 October 2016**Parish:** Stoke Poges Parish Council

Reference No:	14/02436/FUL	Full Application
Proposal:	Acoustic fencing.	
Location:	Pioneer House, Hollybush Hill, Stoke Poges, Buckinghamshire, SL2 4QP	
Applicant:	Secretary Of State For Education	
Agent:	Emily Cochrane	
Date Valid Appl Recd:	5th January 2015	
Recommendation:	PER	

LOCATION PLAN – This plan is supplied only to identify the location of the site and for no other purpose whatsoever.



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SCALE : NOT TO SCALE

THE PROPOSAL:

The application proposes the erection of an acoustic fence.

Pioneer House was acquired by the Secretary of State for Education as the permanent location for Khalsa Secondary School. To allow the school to occupy the office building (B1 Use) a prior approval application, under Class K of the General Permitted Development Order, was submitted on the 19th November 2013 (ref: 13/01947/KNOT). That application was refused.

An appeal against this refusal was submitted by the Secretary of State for Education, and the appeal was subsequently recovered by the Secretary of State and a decision was issued recommending approval. However, that decision was challenged in the High Court and the decision was quashed. The appeal was re-determined, but the Secretary of State again issued a decision approving the proposals. A subsequent attempt to challenge this further decision failed. As such, the use of this site as a secondary school has gained approval.

As part of the appeal process a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended) was entered into in order to secure certain obligations related to the prior approval application, specifically measures that could be put in place to further mitigate noise impacts. Within this legal agreement, it defines acoustic barriers as;

‘fencing designed to mitigate the impacts of noise associated with the Occupation and to be erected in accordance with the Acoustic Barrier Specification and in the locations shown indicatively on the plan annexed to the Deed at Appendix 4 or in such other locations as may be approved by the District Council in writing.’

Schedule 2 of the S106 unilateral undertaking specifically refers to the provision of Acoustic Barriers;

‘To submit to the District Council for approval the Acoustic Barrier Specification within one month of the date of Prior Approval.

To submit to the District Council the Acoustic Barrier Planning Application within one month of the date of receipt of the District Council's written approval to the Acoustic Barrier Specification.

To erect the Acoustic Barriers within three months of the Acoustic Barrier Planning Permission.’

In light of these requirements, details were submitted in relation to the Acoustic Barrier Specification, and then subsequently this planning application was submitted in order to obtain planning permission for the acoustic barrier.

The proposed development will provide a green living acoustic barrier at the site. The intention of the acoustic barriers is to ameliorate the noise experienced by the residential properties immediately adjacent to the rear car parking area. The barriers are located to the east and west of the site bordering the southern car park area, which is currently used for external activities and outdoor play space by the school. The barriers generally run along the edge of the car park and access roads to the east and west of the site.

The acoustic barriers will be 2.5 high with a 120mm thick absorbent RockDelta acoustic core. Both sides of the barrier will comprise of living willow panels.

LOCATION & DESCRIPTION OF SITE:

The application site consists of a two/three storey building set within extensive grounds and car parking. The site is located within the Metropolitan Green Belt, and within the parish of Stoke Poges. It is located on the south side of Hollybush Hill and is enclosed by Hockley Lane to the east and School Lane to the west and south. The site is served by two vehicular access points from Hollybush Hill which leads to areas of hardsurfacing and parking provision to the north and south of the existing building. The existing building is set back from the highway and is partially screened by mature vegetation positioned along the front boundary. The building has a flat roof and its massing increases at the rear to form a three storey structure due to the slope in the ground that runs downwards north to south. There are a number of protected trees within the site. There are residential properties that adjoin the east and west boundaries of the site and a primary school is located to the south.

RELEVANT PLANNING HISTORY:

- 14/00483/KNOT: Notification under The Town and Country Planning (General Permitted Development) (Amendment) Order 2013, Part 3 of Schedule 2 Class K for: Change of use from Class B1 Office to use as a state funded school. Approval is required and is refused.
- 13/01947/KNOT: Notification under The Town and Country Planning (General Permitted Development) (Amendment) Order 2013, Part 3 of Schedule 2 Class K for: Change of use from Class B1 Office to use as a state funded school. Prior Approval was required and refused. APPEAL DISMISSED BY PLANNING INSPECTORATE BUT ALLOWED BY SOS.

REPRESENTATIONS AND CONSULTATIONS:**PARISH COUNCIL COMMENTS:**

The Parish Council raise the following points of objection:

'There is no evidence to suggest that an acoustic wall will be totally effective. It is generally accepted that the effectiveness of an acoustic barrier cannot be measured until after it is built. It offers no protection to noise generated from the playing fields and land adjacent to Hockley Rise. No consideration has been given to noise generated from the car park to the north west of the site which is used for basketball/ netball/ football and other sporting activities; you cannot stop children from shouting or making a noise especially when lessons would take place through out the day. According to the Planning Inspector (APP/N0410/A/14/2215541 para 8.3.12) even with a 2m screen there would be substantial exceedances indoors (4dBA) and against the 50dBA guideline for external areas although the effectiveness of an extra 500mm is not understood. The acoustic fencing would be effective in attenuating the noise level from the rear car park area but would do little to mask the effects of sports or play on the field. Nor would it prevent the high spirited noise of pupils arriving or leaving on the coaches parked on the eastern access road. We have particular concerns about Hill End and Old Oak House on School Lane and Flint Meadow and Cherry Tree Cottage on Hockley Lane, mainly because their rear gardens are lower than the height of the car park/ playing area resulting in the 2.5m wall feeling more obtrusive; the perception will be of a doubling of height - perhaps more - of

existing garden fencing, but with a solid wall. The acoustic wall offers no protection to Farthing Green Lane, Orchard Cottage and houses further to the south while the playing fields and car parks are in use. We are particularly concerned that the acoustic barrier will funnel and amplify noise created in a southerly direction, potentially worsening the noise impact to properties further away towards Farthing Green Lane. The elevated nature of this site exacerbates any noise created meaning that any measures taken to mitigate noise are likely to be unsuccessful. There are no measures in place to stop pupils from breaching the wall into no go zones or to discourage pupils from climbing on it. This could result in pupils gathering behind or on the wall and causing disturbance to residents. The foundations for the wall are approximately 1metre deep this means disturbing contamination. Remedial works took place to remove contaminated hot spots but only to a depth of 20cm.

The proposed installation of acoustic fencing represents inappropriate development in the greenbelt; it meets none of the development criteria. It is considered that this proposal would adversely affect the character of the Greenbelt and the amenity of nearby properties.

It is considered that this development has the potential to be detrimental to the character and amenity of nearby properties by reason of visual intrusion through scale and use of materials.

It is noted that the acoustic fence consists of a masonry core with "living willow" panels on both sides. There is no guarantee that the natural willow will naturalise and adequately cover the core materials; residents could be left with a 2.5m masonry wall at the rear of their properties.

Although this proposal proposes a natural willow covering to the masonry structure there is no evidence that coverage will be complete and that large areas of bare block work wouldn't be seen by residents and occupants of the school. Similarly, any net gain in biodiversity is dependent upon a successful coverage of the willow screens.

It may prove attractive to burglars who may use wall as a means to carry out crime by concealing their activities.

Paragraph 81 of the NPPF states that Green Belts, once defined, should be protected by local planning authorities in order to (inter alia) retain and enhance landscapes, visual amenity and biodiversity. It is considered that this proposal fails to meet any of these criteria.

Para 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. It is considered that this proposal fails in this respect.'

CORRESPONDENCE:

Letters of objection have been received from 39 separate households. Concerns raised include:

- Proposed fencing would be ineffective in reducing noise levels;
- Adverse impact on Green Belt;
- Inappropriate development within the Green Belt;
- Needs to be increased in length;

Classification: OFFICIAL

- Better way of reducing noise would be via the Noise Management Plan;
- Adversely impact upon character and appearance of site and area;
- Visual intrusion;
- Increase potential for crime by providing a screen;
- Loss of light;
- Contamination issues.

1 letter of support have been received from a directly adjoining property. Comments raised include:

- Will reduce noise levels

SPECIALIST ADVICE:

Environmental Health:

No objections from a contaminated land point of view. From a noise point of view, the proposed fencing would offer some form of mitigation.

Arboriculturalist:

No objections.

ISSUES & POLICY CONSIDERATIONS:

RELEVANT POLICY:

National Policy:

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Development Plan:

South Bucks District Local Plan (adopted March 1999) (Saved policies): GB1, EP3, EP4, EP5, EP6, L10, TR5, and TR7.

South Bucks Local Development Framework Core Strategy (adopted February 2011): CP8, CP9.

1.0 KEY POLICY ASSESSMENT:

1.1 The NPPF was published on the 27th March 2012 and whilst this replaced the previous Planning Policy Statements and Guidance Notes, it does not replace existing local policies that form part of the development plan. It does state however, that the weight that should be given to these existing local policies and plans will be dependent on their degree of consistency with the NPPF. Therefore, the closer the policies in the development plan to the policies in the Framework, the greater the weight that may be given to them. With regard to this specific application, it is considered that most of the relevant local policies, as highlighted above, are in accordance with the NPPF, and as such, it is considered that they should be afforded significant weight and that is it considered appropriate to still assess this current application against the relevant local policies set out above. The exception to this is policy GB1, which is not entirely in accordance with the NPPF. Where there is a difference or conflict in policy, then the NPPF takes precedence.

Classification: OFFICIAL

2.0 GREEN BELT ASSESSMENT:

2.1 The site falls within the Green Belt where the types of development that are deemed acceptable are very limited. Policy GB1 of the Local Plan, together with the NPPF, set out the types of development that are deemed appropriate within the Green Belt. The erection of a 2.5m high acoustic barrier does not fall within the list of permitted forms of development as set out in policy GB1 of the Local Plan, or para. 89 or 90 of the NPPF. Therefore, it is considered that a proposal this nature constitutes inappropriate development in the Green Belt, and therefore in order for it to be considered acceptable, a set of very special circumstances would need to have been demonstrated.

2.2 The NPPF reiterates that, as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The very special circumstances balance will be addressed later within this report.

3.0 VISUAL IMPACT/IMPACT ON LOCALITY:

3.1 Due to the siting of the proposed barriers, it is considered that views of them from the public realm would be limited to more distance views from the south. Due to their location and presence of neighbouring buildings and natural vegetation, the proposed barriers would not be visible within the street scene or locality when viewed from the north, east or west. The views that would be obtained from the south would be from a fair distance away, most probably not being visible until Farthing Green Lane, as this road sits on higher grounds levels. However, given the distance of these views, combined with the fact that the barriers would only be 0.5m higher than a normal fence or wall could be without the need for planning permission, and the fact that they constitute a 'living wall', as opposed to being a solid wall or fence, it is considered that the barriers would not appear overdominant or obtrusive within the street scene or locality in general, and would not have an adverse impact upon the character and appearance of the area.

4.0 NEIGHBOUR IMPACT:

4.1 Whilst the proposed barriers would be located near the rear boundaries of a number of neighbouring residential properties, it is considered that due to their height, scale and construction, as well as the presence of existing natural screening in certain places, they would not appear overdominant or obtrusive when viewed from these neighbouring properties, nor would they lead to any unacceptable loss of light.

5.0 PARKING/ACCESS/HIGHWAY IMPLICATIONS:

5.1 None.

5.0 TREES/LANDSCAPING:

6.1 The Council's Arboriculturalist raises no objections to the proposals and considers that the proposals would not adversely impact upon the existing trees on site.

7.0 VERY SPECIAL CIRCUMSTANCES

7.1 As set out earlier in the report, it is considered that the proposal constitutes inappropriate development in the Green Belt, as such very special circumstances are required in order to justify its acceptance.

7.2 The main issue that is considered to represent a very special circumstance in this instance is that the proposed development is the only option, apart from general management of noise, available to provide some form of noise mitigation/reduction.

7.3 It is important to note that the circumstances of this site are that the school will remain on this site and will continue to occupy it as an educational facility. It is not currently at full capacity, but will be within the next few years once the full intake of children has been achieved. Therefore the noise levels of the site will not reduce. Under the requirements of the legal agreement that was completed during the appeal process, the school is required to submit details of a proposed acoustic barrier, and then to implement the approved details. However, there is no requirement for the school to submit any further applications if this current application is refused. Therefore, if this application is refused, then the matter of an acoustic barrier is completed, and the school would not be required to erect any such barrier. This is because there is no requirement within the agreed legal agreement to do so. The agreement of a suitable Noise Management Plan, which is a further requirement of the Legal Agreement, but which is entirely separate from this current planning application, is a further method of helping to manage noise levels and help to minimise noise impacts.

7.4 As such, this application is the only way of securing some form of physical development to aid with noise mitigation.

7.5 In addition to this, the barrier would only be 0.5m higher than a fence/wall that could be erected under permitted development. The barrier would also have the appearance of landscaped screening due to the natural vegetation that would grow along it, therefore reducing its urban appearance.

7.6 In light of the above and the fact that this is the only possible way of securing a physical way of mitigating the noise impacts to some extent, it is considered that this does constitute very special circumstances that outweigh the harm caused by the inappropriateness of the proposal, and the harm caused by the barriers physical presence. As such, in this specific instance, it is considered that the proposal would be acceptable within the Green Belt.

8.0 OTHER ISSUES:

8.1 It is acknowledged that the proposed barriers do not provide the level of noise mitigation/reduction that is ideally sought, and therefore only provide a partial solution to the noise impacts. However, it is also important to note that the levels of noise reduction sought by the Council and local residents go beyond that which was considered necessary at appeal. As such, the proposals meet the requirements of the appeal and provide a form of noise mitigation. In addition to this, as set out already within this report, this is the only way of obtaining any form of noise mitigation. It is also important to note that there have been no reported noise complaints to the Council within the last year, with the last recorded complaint coming in October 2015. To some degree the lack of such complaints undermine the argument to increase the levels of mitigation over and above that which is being proposed.

8.2 In terms of contamination, the Council's Environmental Health department have advised that provided that the development is carried out in accordance with the submitted contamination report, then the risk of any adverse health impacts materialising as a result of excavation is low.

8.3 The concerns raised relating to a potential increase in crime due to the barriers being used as screens are note, however it is not considered that they would provide encouragement for potential criminals any more than a hedge would, nor would they

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provide a means of entry to neighbouring properties more a normal boundary fence would. As such, it is not considered that this constitutes grounds to resist the proposal.

CONCLUSION:

It is considered that a fair balance would be struck between the interests of the community and the human rights of the individuals in the event of planning permission being granted in this instance.

RECOMMENDATION:

Full Planning Permission

Conditions & Reasons:

1. The development hereby permitted shall be erected and completed within 3 months from the date of this decision notice.

Reason: To comply with the provisions of the unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 attached to the appeal decision for application 13/01947/KNOT.

2. NMS09A Development To Accord With Application Drawings
3. NT06 Retention of Existing Landscaping Features -A 658 11 P1

4. Any crown lifting of existing trees which is required to facilitate the erection of the development hereby approved shall not exceed 3m.

Reason: To protect the existing trees on site which represent an important amenity feature. (Policies L10 and EP4 of the South Bucks District Local Plan (adopted March 1999) refers.)

5. The development hereby permitted shall be carried out in accordance with the mitigation and discovery strategy as set out in the contamination report submitted and approved as part of this planning application.

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 [Policy EP3 (f) of the South Bucks District Local Plan (adopted March 1999) refers).

Informative:-

1. IN35 Considerate Constructor

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LIST OF APPROVED PLANS

Plan number/name	Date received by District Planning Authority
A 658 11 P1	05.01.2015
A 658 10 P2	05.01.2016
A 658 12 P3	05.01.2016

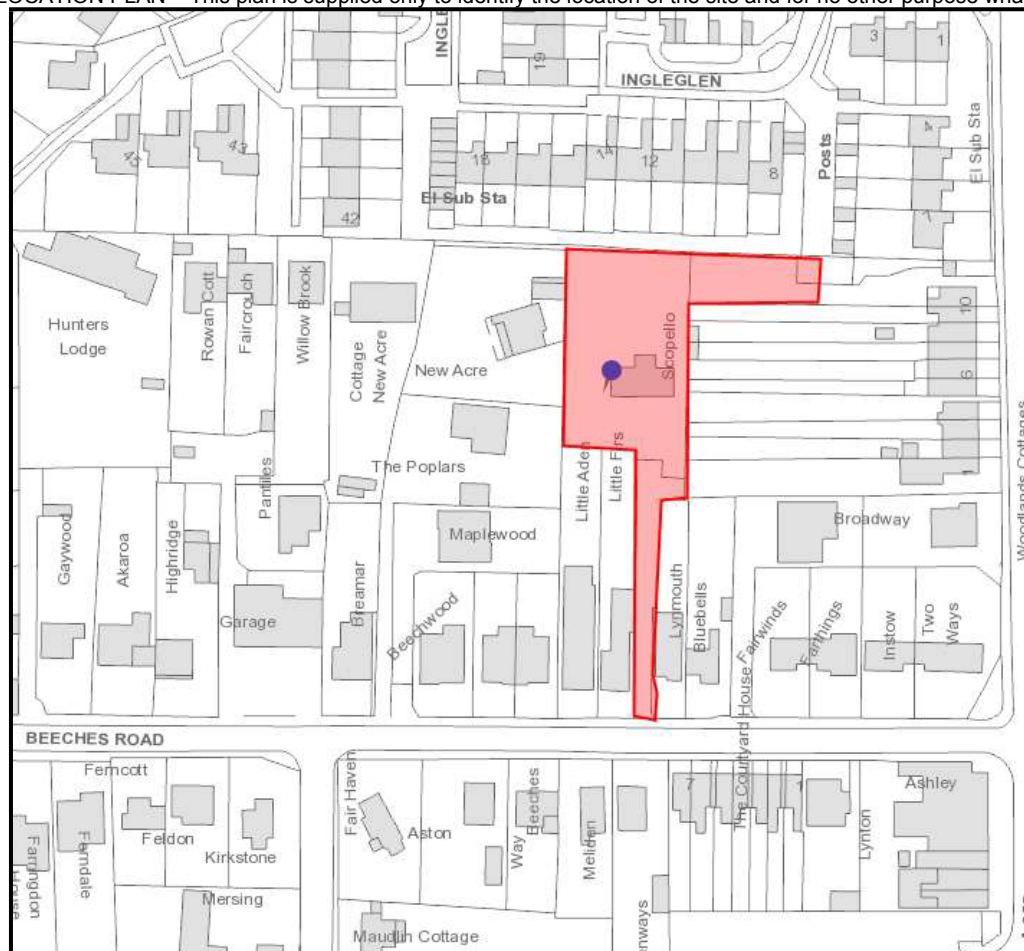
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PART A**South Bucks District Council
Planning Committee**

Date of Meeting: 26 October 2016 **Parish:** Farnham Royal Parish Council

Reference No:	16/01394/FUL	Full Application
Proposal:	Redevelopment of site to provide four detached dwellings served by the existing access off Beeches Road.	
Location:	Land At Scopello, Beeches Road, Farnham Common, Buckinghamshire, SL2 3PR	
Applicant:	Mr Narinder Dhillon	
Agent:	Mr Sam Dodd	
Date Valid Appl Recd:	29th July 2016	
Recommendation:	PER	

LOCATION PLAN – This plan is supplied only to identify the location of the site and for no other purpose whatsoever.



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SCALE : NOT TO SCALE

THE PROPOSAL:

The application proposes the redevelopment of the site to provide four detached dwellings.

The proposal involves the demolition of the existing detached chalet style bungalow that currently occupies the site, and its replacement with four detached dwellings. These dwellings would all be of a two storey design with ridge heights of 8.35m. Plots 2, 3 and 4 would be located partly on the site of the existing dwelling at Scopello, on a north-south axis, whilst plot 1 would be located to the north east of these plots, on part of the rear garden of No.10 Woodland Cottages. The dwellings would be accessed via the existing access drive that serves Scopello. A small portion of the front garden area of the dwelling known as Lynmouth would be used to provide a wider entrance and improved visibility.

This application follows the recently approved schemes on this site, for its redevelopment, with the most recent being 16/01405/FUL. That application gained approval for the erection of 3 x two storey detached dwellings. This current application is similar to that approved scheme but varies in the sense that it is proposing an additional dwelling. The proposed dwelling on plot 1 is identical to that which has been approved under application 16/01405/FUL in terms of its size, height, scale and design, as well as its plot location and size. The proposed dwellings on plots 2 and 3 are similar to those previously approved, but are smaller in terms of their width. The additional dwelling subject to this current application comprises a dwelling of similar design as the others, and is located to the north of plots 2 and 3.

LOCATION & DESCRIPTION OF SITE:

The application site consists of the site known as Scopello and part of the rear garden of No.10 Woodland Cottages. Scopello is a two storey chalet style dwelling served by dormer windows at first floor level set within a good sized plot that is set back from the highway and accessed via a single track driveway taken from Beeches Road. The site is generally bounded by mature vegetation, and there is a gentle slope in the ground levels, rising from south to north, front to rear. The land within No.10 Woodland Cottages forms the rearmost section of that property's back garden and is enclosed by 1.8m fencing to the flank boundaries and a high mature hedge to the northern boundary. The site is located within the developed area of Farnham Common. The site is also designated as partly being a 'Town Centre Fringe' and partly a Suburban Road, as set out within the Townscape Character Study.

RELEVANT PLANNING HISTORY:

- | | |
|---------------|---|
| 16/01405/FUL: | Redevelopment of site to provide three detached dwellings served by the existing access off Beeches Road. Conditional Permission. |
| 15/01650/FUL: | Redevelopment of site to provide three detached houses served by existing access off Beeches Road. Conditional Permission. |
| 09/01442/FUL: | Two Bedroom Bungalow. Condition Permission. Dwelling now known as 'Lynmouth'. |

REPRESENTATIONS & CONSULTATIONS:**PARISH COUNCIL COMMENTS:**

The full comments of the Parish Council can be viewed on the file, however their specific comments on this application are summarised as follows:

'Very concerned with the affect that the proposals will have on the already problematic, hydrology of the area. The supplied report is insufficient and does not describe adequate measures to mitigate the effects of the proposals. The District Council are urged to appoint a suitably qualified consultant to liaise with the Developers to ensure that the correct proposals come forward before any permission is granted. The District Council should satisfy themselves that an appropriate highways report is submitted and approved detailing adequate on-site parking and turning provision. The report should also identify the impact on on-street parking. Should the District Council be minded to permit the application measures should be put in place, as a pre-construction condition, to install permanent parking restrictions to Beeches Road and the access road to the development to prevent the parking of cars and construction traffic. This should be carried out at the Developers expense.'

In addition to the above comments they have also submitted a set of standard comments relevant to applications within the parish of Farnham and which refer to the fact that the Council should be satisfied that the proposals meet the relevant policy requirements.

CORRESPONDENCE:

Letters have been received from 12 separate sources, 11 of which are objections. The concerns/comments raised within the letters can be summarised as follows:

- Existing boundary hedging should be reduced to reasonable height;
- Adverse highway implications due to increase in traffic;
- Beeches Road unsuitable for construction traffic vehicles;
- Overdevelopment;
- Lack of parking;
- Noise and disturbance from increase in traffic using access drive and people;
- Loss of privacy;
- Overshadowing;
- Adverse impact on character and appearance of site and area;
- Size/height of dwellings - overbearing/obtrusive;
- Loss of view;
- Loss of trees/vegetation;
- Impact on wildlife;
- Flooding of existing sewerage system;
- Existing vegetation would need to be removed due to small distances to boundary - contrary to proposed plans.

SPECIALIST ADVICE:**Arboriculturalist:**

Considers that a car port should be provided to serve plot 4 in order to protect parked vehicles from debris and prevent future pressure to lop the protected tree to the north.

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Transport for Bucks:

No objections.

Building Control:

No objections

Natural England:

No objections.

Bucks County Ecologist:

No objections.

SBDC Waste Team:

No comments received to date, however, did advise on the previous application that a suitably located bin drop-off point should be provided.

City of London:

No comments received to date.

Environmental Health:

No objections.

ISSUES & POLICY CONSIDERATIONS:

RELEVANT POLICY:

National Policy
National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

Development Plan:

South Bucks District Local Plan (adopted March 1999) (Saved policies) EP3, EP4, EP5, EP6, H9, L10, TR5 and TR7.

South Bucks Local Development Framework Core Strategy (adopted February 2011) CP1, CP2, CP3, CP8, CP9, CP12 and CP13.

Other material considerations:-

Residential Design Guide SPD
Interim Guidance on Residential Parking Standards
South Bucks Townscape Character Study 2014

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1.0 KEY POLICY ASSESSMENT

1.1 The NPPF was published on the 27th March 2012 and whilst this replaced the previous Planning Policy Statements and Guidance Notes, it does not replace existing local policies that form part of the development plan. It does state however, that the weight that should be given to these existing local policies and plans will be dependent on their degree of consistency with the NPPF. Therefore, the closer the policies in the development plan to the policies in the Framework, the greater the weight that may be given to them. With regard to this specific application, it is considered that all of the relevant local policies, as highlighted above, are in accordance with the NPPF, and as such, it is considered that they should be afforded significant weight and that it is considered appropriate to still assess this current application against the relevant local policies set out above.

2.0 AFFORDABLE HOUSING ASSESSMENT

2.1 It is noted that the application site exceeds 0.16ha and therefore means that the requirements of Core Policy CP3 may be applicable. However, it is considered that if the Council were to seek to secure more units on this site, in order to obtain some form of affordable housing provision, then it would create a development that would be inappropriate in its context in terms of its level of density and impact on the character and appearance of the site and locality in general. Therefore, it is considered that the applicant's design does not seek to circumvent the requirement for affordable housing by proposing an inappropriately low density of development.

3.0 VISUAL IMPACT/IMPACT ON LOCALITY

3.1 It has already been established, via the granting of planning permissions 15/01650/FUL and 16/01405/FUL that the provision of additional residential development on this site is acceptable and would not be detrimental to the character and appearance of the area.

3.2 It is considered that an assessment of the resultant density of the scheme still forms an important part of the overall consideration of the proposal. The proposal would result in a density of approx. 20dph which is relatively low for a developed area but is still not out of keeping with the prevailing density of the area, and when balanced against the need to make efficient use of land, it is considered that the proposed density of the scheme would not appear inappropriate.

3.3 With regard to the general layout of the proposed development, this is similar to that of the approved schemes, with the only difference being the provision of an additional dwelling included in the line of dwellings running in a north/south axis. As such, it is considered that such a layout is again acceptable.

3.4 The level of spaciousness retained on site is still considered acceptable. The gaps retained to the site's boundaries are still considered sufficient, and would not appear out of place for the general vicinity. Residential outdoor amenity spaces for the proposed dwellings would remain appropriate for the locality, and therefore overall the plot sizes are still not out of keeping when compared to others in the surrounding area. As such, overall, it is considered that the development would still not appear cramped or out-of-place, nor would it represent an overdevelopment of the site. In fact there are many compact dwellings with relatively small plots nearby.

3.5 The surrounding area is made up of dwellings which display a variety of designs, architecture and size. Given this level of variety, combined with the set back of the dwellings from the highway and their restricted presence within the street scene, it is not considered that this current application could be reasonably refused on the grounds of the

visual appearance of the proposed dwellings. Whilst the proposed dwellings would depart from the presence of chalet bungalows in this area of land set behind Beeches Road, there are many examples of full height two storey dwellings along Beeches Road, as well as a more recently constructed two storey dwelling called 'Maplewood', which is set behind the original line of buildings fronting Beeches Road. The dwellings are also the same height and scale of the recently approved two storey dwellings on this site. On balance, it is considered therefore that the proposed dwellings would be of a size and scale that would not be excessive or inappropriate for this area or the plot within which they would sit, and therefore would not appear overdominant or obtrusive in the locality or the existing street scene.

3.6 Overall, it is considered that the proposed development would not prejudice or threaten the specific characteristics of this site and locality, and as such, it is considered that the proposal is in accordance with policies EP3, H9 and CP8.

4.0 NEIGHBOUR IMPACT

4.1 The dwelling on plot 1 would be identical to that which has recently been approved under application 16/01405/FUL. It was considered previously that this proposed dwelling would not appear overdominant or obtrusive when viewed from any neighbouring property, nor would it result in an unacceptable loss of light. It is considered that this is still the case. In terms of privacy, it was previously considered that due to the distances retained and the angles of views from the windows in the front and rear elevations of this dwelling, there would have been no loss of privacy to neighbouring properties as a result of these windows. It is considered that this remains the case. It is acknowledged that there would be a side window facing northwards, however, as this would serve a staircase, it is considered that it could be conditioned to be fitted with obscure glazing in order to prevent any unacceptable overlooking opportunities.

4.2 In terms of plot 2, as per the most recent application, the first floor rear windows would be set at approx. the same height, and they would retain the same distances to the rear boundary. Given this and the fact that they would all still serve non-primary habitable rooms such as bathrooms/staircase, and therefore could be fitted with obscure glazing, it is considered that they would not lead to any additional overlooking opportunities over and above that of the approved scheme. The proposed dwelling would be of the same height as the one in the approved scheme, albeit slightly smaller overall in terms of its size and massing, and it would retain the same distance to the western boundary as the approved dwelling. Given that this distance is 9.8m, it is considered that the proposed dwelling would still not appear overdominant or obtrusive when viewed from neighbouring properties to the west.

4.3 It is acknowledged that this dwelling would project slightly closer to the southern boundary which is shared with 'Little Firs' and 'Little Aden', however, a distance of at least 1m would be retained, and given that it involves the very rear sections of their rear gardens, it is considered that the proposed dwelling would not appear overdominant or obtrusive when viewed from these properties. The distances retained to the properties known as 'Woodland Cottages', to the east, are virtually the same as that previously approved, and are substantial. It is therefore considered that the current proposal would not adversely impact upon these properties. Given the distances retained to the neighbouring properties, it is considered that the proposed dwelling would not lead to any unacceptable loss of light.

4.4 In terms of plot 3, the same assessment that was gone through for plot 2 applies equally to the revised dwelling on plot 3 in terms of its impact on the dwellings to the east and west, and as such, it is considered that there would be no adverse impacts on the amenities of these neighbouring properties.

4.5 In terms of plot 4, it is acknowledged that this current scheme involves the presence of a dwelling in closer proximity to the northern boundary, and the neighbouring properties situated within Inglelen. However, notwithstanding this reduction, the distance retained to the northern boundary is substantial at 8.6m at its shortest point. The distance retained to the dwellings within Inglelen is approx.22.2m. Therefore it is considered that the proposal would not appear overdominant or obtrusive, nor would it lead to any loss of light, nor would it result in any unacceptable overlooking opportunities.

5.0 PARKING/ACCESS/HIGHWAY IMPLICATIONS

5.1 Sufficient off street parking would be provided for on-site, a level that is considered appropriate for the size of the proposed dwellings and in accordance with the parking standards as set out in the Local Plan.

5.2 The proposed access arrangements remain the same as previously approved. The County Highways Authority raise no objections to the proposals and advise that the increase in the number of proposed dwellings would not lead to any unacceptable highway implications

6.0 TREES/LANDSCAPING

6.1 The Arboriculturalist, whilst generally satisfied with the proposals, has advised that he considers that a car port structure should be provided for the parking area for plot 4, which is located partially below the existing protected tree, which is sited outside the application site. He considers that such a structure would protect vehicles from debris, and therefore reduce future pressure to prune back/lop the protected tree. Whilst this advice is noted, it is not considered that such a feature is essential to the success of this scheme. Any works to a protected tree would need to be applied for, and assessed on the merits of the case. The protected tree lies outside of the ownership of the application site and the Land Owner is Bucks County in this case. If a future occupier is concerned about their car they can apply for a car port and it would be assessed on its own merits.

6.2 Notwithstanding this issue, whilst the scheme still involves the removal of some trees, in general, the mature boundary hedging is to be retained.

7.0 OTHER ISSUES:

7.1 As set out in the assessment of the previous applications, the Council produced a Habitats Regulation Assessment (HRA) screening statement for the Core Strategy which concluded there would be no adverse impacts in relation to Burnham Beeches Special Area of Conservation (SAC) as a result of additional development in this locality. This current revised proposal to build additional dwellings in the developed area accords with the Core Strategy and the related screening statement. It is worth noting that Natural England have consistently confirmed that proposals for new dwellings will not adversely affect the SAC, in isolation or in combination with other developments. This is because there is no evidence that such developments adversely impact on the special features that have resulted in the SAC being designated, those being the acid beech forest, its shrub layer and the habitat for invertebrates and epiphytes that it provides. In these circumstances the Council do not consider there will be any likely significant effect on the SAC. As there is no likely significant effect on the SAC no further Appropriate Assessment under the Habitat Regulations need be undertaken.

7.2 The application has again been accompanied by a Hydrology Assessment which incorporates the use of permeable paving and soakaways in order to enable sufficient surface water to filtrate through to the relevant water catchment that feeds into the Beeches. The use of such methods will help to negate and mitigate against issues of surface water runoff and subsequent flooding implications. Natural England have considered the hydrology assessment and confirmed again that they have no objection. This is a professional report undertaken by suitably qualified consultants and it is not considered that any additional information is required on this issue.

7.3 There is no evidence of the presence of any protected species on site, and ecological enhancements could be obtained by way of condition. The County Ecologist again raises no objections to the proposal

7.4 In terms of refuse collection, whilst the comments of the Council's Waste Department have yet to be received, they did advise on the previous application that given the length of the access drive, a suitably located bin drop off area should be provided which is in close proximity to the highway. It was previously considered that such details could be obtained by way of condition, and it is considered that this remains the case.

7.5 It is noted that a number of other concerns have been raised by local residents, however these concerns were taken into consideration in the assessment of the previous application.

CONCLUSION:

It is considered that a fair balance would be struck between the interests of the community and the human rights of the individuals in the event of planning permission being granted in this instance.

Due to the significant concerns raised by the Parish Council and local residents it is considered that value would be added to the decision making process if **MEMBERS** were to carry out a **SITE VISIT** prior to their determination of this application.

RECOMMENDATION:

Full Planning Permission

Conditions & Reasons:

1. NS01 Standard Time Limit - Full Application
2. NMS09A Development To Accord With Application Drawings
3. NM01 Schedule or Sample of Materials
4. NM02 Surface Materials
5. Notwithstanding any indications illustrated on drawings already submitted, no development shall take place until there has been submitted to and approved by the District Planning Authority in writing a biodiversity/ecological enhancement and landscape scheme.

The scheme shall include indications of all existing/proposed trees, shrubs and hedgerows on the site and details, including crown spreads, of those to be retained. None of the trees, shrubs or hedgerows to be planted or shown for

retention shall be removed or felled, lopped or topped within a period of five years from the date of this permission, without the prior written permission of the District Planning Authority.

Reason: To protect and enhance the biodiversity and ecology of the site and to ensure satisfactory landscaping of the site in the interests of visual amenity. (Core Policy 9 of the South Bucks Local Development Framework Core Strategy (adopted February 2011) and Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)

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

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

7. The development hereby approved shall be implemented in accordance with the recommendations as set out in section 5 of the Hydrological Assessment submitted as part of this application.

Reason: To ensure the protection and prevent harm to a protected species. Policy CP9 of the South Bucks District Core Strategy (adopted February 2011) refers.)

8. NT18 Completion in accordance with Method Statement

9. Prior to the first occupation of the development hereby permitted, details of a bin drop off area shall be submitted to and approved in writing by the District Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is served by an adequate refuse storage facility. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers).

10. Notwithstanding the provisions of Article 3 and Classes A, B, C, & E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and/or re-enacting that Order with or without modification), no enlargement, improvement or other alteration (including the erection of a garage, stable, loosebox or coach-house within the curtilage) of or to any dwellinghouse the subject of this permission, shall be carried out nor shall any building or enclosure required for a purpose incidental to the enjoyment of any said dwellinghouse as such be constructed or placed on any part of the land covered by this permission. (ND12)

Reason: The nature and density of the layout requires strict control over the form of any additional development which may be proposed in the interests of maintaining a satisfactory residential environment. (Policies EP3 and H9 of the South Bucks District Local Plan (adopted March 1999) refer.)

11. No further windows shall be inserted at or above first floor level in any of the elevations of the dwellings hereby permitted. (ND17)

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

12. The first floor windows in the western elevation of the dwellings on plots 2, 3 and 4 hereby approved, shall be of a fixed, non-opening design below a high level opener which shall have a minimum cill height of 1.7 metres above the internal floor level and shall be fitted and permanently maintained with obscure glass.

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

13. The first floor windows in the southern flank elevation and the window which serves a staircase in the northern flank elevation of the dwelling on plot 1 hereby approved, shall be fitted and permanently maintained with obscure glass.

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

14. No other part of the development shall begin until the vehicular access has been altered in accordance with the approved drawing T0188-03 and constructed in accordance with Buckinghamshire County Council's guide note "Private/Commercial/Industrial Vehicular Access Within Highway Limits" 2013 as varied or amended/replaced from time to time. (NH24)

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development. (Policy TR5 of the South Bucks District Local Plan (adopted March 1999) refers.)

15. No other part of the development shall begin until the visibility splays shown on the approved drawings number T0188-03 have been provided on both sides of the access and the area contained within the splays shall thereafter be kept permanently free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway. (NH37)

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access. (Policy TR5 of the South Bucks District Local Plan (adopted March 1999) refers.)

16. NH46 Parking Full

17. No works or development shall take place until details of levels of the dwellinghouses and of finished ground levels in relation to the surrounding dwellinghouses have been submitted to and approved in writing by the District Planning Authority. Thereafter the development shall be implemented and retained in accordance with these approved details. (ND16)

Reason: To ensure that construction is carried out at suitable levels having regard to the amenities of neighbouring properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

Informatives:-

1. **IN02** **Details Required Pursuant to Conditions - 3, 4, 5, and 17**
2. **IN35** **Considerate Constructor**

3. The applicant is advised that a licence 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 period of 28 days must be allowed for the issuing of the licence, please contact the Area Manager at the following address for information:

Transport for Buckinghamshire
Handy Cross Depot
Marlow Hill
High Wycombe
Buckinghamshire
HP11 1TJ

4. **IH23** **Mud on the Highway**
5. **IH24** **Obstruction of the Highway**
6. **IH11** **Surface Water Drainage**
7. **IH12** **Use of soakaways**

8. All species of bat and their roosts are protected under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010. The applicant and contractors should be aware that all bats and any structures used by them are protected by law, and that works likely to disturb bats or their resting places (even if undertaken at a time of year when the bats are absent) require a licence from Natural England. Should a bat be encountered during development, work should cease immediately and advice should be sought from Natural England (tel. Batline 0845 1300228). Bats should preferably not be handled (and not without gloves) but should be left in place, gently covered, until advice is obtained. Particular care and vigilance should be taken when roof tiles or slates are removed (remove by hand and check underside for bats before stacking, particularly the ones over the gable ends and ridge tiles.) Fascias, barge boards and external cladding may also provide roost opportunities for bats and should be disturbed with care. As a further precaution, undertaking roof work during the months of March to May, or September to November will avoid the main hibernation and breeding seasons when bats are most sensitive to disturbance.

9. All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), including their nests (whilst in use or being built) as well as any eggs the nest may contain. Therefore, vegetation should not be removed nor buildings demolished during the bird nesting season. This is weather dependant but generally extends from 1st March to 31st August (inclusive). If this is not possible, a qualified ecologist should check the areas concerned immediately prior to vegetation removal/building demolition to ensure that no nesting or nest-building birds are present. If any nesting or nest-building birds are present, no vegetation/building demolition shall be removed until the fledglings have left the nest.
10. The applicant is advised to view the comments of the County Ecologist in order to obtain an understanding of what is required to be included in the landscape and biodiversity enhance scheme.

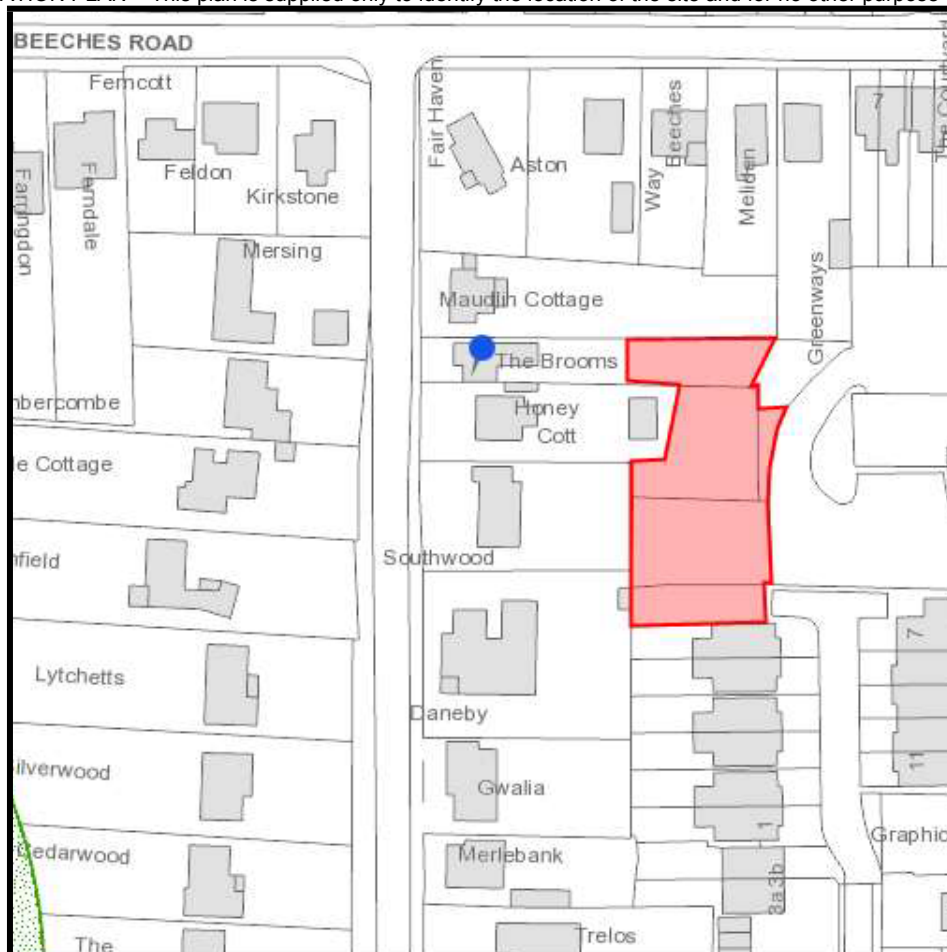
LIST OF APPROVED PLANS

Plan number/name	Date received by District Planning Authority
T0188-03	22.09.2016
Arbtech AIA 02	16.09.2016
Arbtech TPP 02	16.09.2016
S AS4 02 A	29.07.2016
S AS4 03 A	29.07.2016
S AS4 04 A	29.07.2016
S AS4 05 A	29.07.2016
S AS4 01 A	29.07.2016

PART A**South Bucks District Council
Planning Committee****Date of Meeting:** 26 October 2016 **Parish:** Farnham Royal Parish Council

Reference No:	16/01418/FUL	Full Application
Proposal:	Redevelopment of site to provide one detached dwelling and one pair of semi detached dwellings with associated access.	
Location:	Land Rear Of Honey Cottage And The Brooms, Green Lane, Farnham Common, Buckinghamshire,	
Applicant:	Rouce New Homes Ltd.	
Agent:	Ms N Broderick	
Date Valid Appl Recd:	1st August 2016	
Recommendation:	PER	

LOCATION PLAN – This plan is supplied only to identify the location of the site and for no other purpose whatsoever.



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SCALE : NOT TO SCALE

THE PROPOSAL:

The application proposes the redevelopment of the site to provide one detached dwelling and one pair of semi-detached dwellings with associated access.

This application involves the redevelopment of the same piece of land as that which was subject to planning application 14/00331/FUL, which was granted planning permission to erect three dwellings fronting onto the existing public car park. This current application differs in that it now involves a slightly larger piece of land, by virtue of the rear section of 'The Brooms' rear garden now being incorporated into the scheme, as well as a section of land that falls within the Kingsway Mews development. As well as having a slightly greater site, this current proposal differs in that it only proposes for one detached dwelling to front onto the public car park, as per the approved scheme, whilst the other dwellings have been rotated clockwise 180 degrees so that they face southwards and into the Kingsway Mews development. These dwellings have been designed to match up with the existing properties within Kingsway Mews, in terms of their general architecture and scale, and they would be accessed via the existing road that travels into Kingsway Mews.

It should be noted that the current proposals have been amended during the course of this application, as it originally proposed to erect four dwellings, with an additional detached dwelling fronting Kingsway Mews. However, following concerns raised regarding the loss of privacy, insufficient car parking and overdevelopment, this fourth dwelling, which was proposed as plot 1, has been removed from the scheme.

LOCATION & DESCRIPTION OF SITE:

The application site falls within the developed area of Farnham and is surrounded by residential properties to the north, west and south, whilst to the east is a public car park serving the retail centre of Farnham Common. Beyond the car park is the rear of the existing commercial and retail units that front Beaconsfield Road. To the south is the residential development of Kingsway Mews. A majority of the application site consists of a vacant piece of land that is fenced off and does not appear to have any particular use. The remainder of the application site consists of sections of existing residential gardens, and a piece of grassed land that has no particular use, but forms part of the Kingsway Mews development.

RELEVANT PLANNING HISTORY:

- 02/00679/OUT: Demolition of Lexham Cottage and Berkeley Engineering works. Erection of two detached houses and three blocks comprising ten houses. Construction of vehicular access onto Kingsway. Conditional Permission.
- 05/01041/REM: Demolition of Lexham Cottage and Berkeley Engineering works. Erection of two detached houses and three blocks comprising ten houses. Construction of vehicular access onto Kingsway.(Details: outline being 02/00679/OUT). Conditional Permission.
- 05/01427/FUL: Erection of eleven semi-detached and terraced houses (amendment to outline planning permission 02/00679/OUT). Land to north of application site. Conditional Permission.

- 06/00826/FUL: Retrospective application for retention of 6 houses (plots 3-8) and retention of 5 houses (plots 9-13). Construction of vehicular access. Conditional Permission.
- 06/01089/FUL: Retention of units 1 and 2 and garages 1-3 (amendment to planning permission 05/01041/REM and 02/00679/OUT). Conditional Permission.
- 06/01801/FUL: Detached dwelling and construction of vehicular access (land between plots 2 and 3). Conditional Permission.
- 12/01933/FUL: Erection of 2 pairs of 4 bed semi-detached and 1 detached block of 4 associated garages. Withdrawn.
- 13/00514/FUL: Erection of 2 pairs of 4 bed semi detached and 1 detached block of 4 associated garages and car parking. Refused.
- 13/01640/FUL: Three detached dwellinghouses and associated parking. Refused.
- 14/00331/FUL: Three detached dwellinghouses and associated parking. Conditional Permission.

REPRESENTATIONS AND CONSULTATIONS:

PARISH COUNCIL COMMENTS:

The Parish Council are very concerned with a number of aspects of this proposal including the following:

- Access via a public car park - preventing future development of land;
- No manoeuvring space for vehicles to exit site in forward gear;
- Lack of parking provision;
- Lack of garden space;
- Loss of trees/green buffer.

CORRESPONDENCE:

Letters of objection have been received from 25 separate properties. Concerns raised include:

- Overlooking/loss of privacy;
- Use of roof areas in the future;
- Lack of parking;
- Already parking congestion/problems within Kingsway Mews;
- Adverse highway implications by virtue of width and visibility of existing access to be used that serves Kingsway Mews;
- Kingsway Mews is not suitable for further intensification;
- Adverse impact on character of area;
- Loss of trees;
- Danger to pedestrians by virtue of extra traffic on Kingsway Mews;
- Don't want the inclusion of social housing;
- Loss of green space and communal area;
- Emergency access further restricted;
- Proposed detached garage not large enough to use;

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- Overdevelopment of site;
- Damage to existing road within Kingsway Mews;
- Developer has not maintained existing Kingsway Mew Development;
- Noise and pollution;
- Impact house values;
- Overbearing;
- Conflict of interest from Council;
- Impact on Burnham Beeches;
- Increased pressure on public services;
- Removal of existing natural boundary treatment that belongs to neighbouring properties.

SPECIALIST ADVICE:

Arboriculturalist:

No objections.

Building Control:

No objections.

Transport for Bucks:

No objections.

SBDC Waste:

No objections.

Bucks County Ecologist:

No objections.

City of London:

Object on grounds relating to impact on Burnham Beeches, the character of the area and the ecology and biodiversity of the site.

Natural England:

No objections

ISSUES & POLICY CONSIDERATIONS:

RELEVANT POLICY:

National Policy:

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

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Classification: OFFICIAL

Development Plan:

South Bucks District Local Plan (adopted March 1999) (Saved policies) EP3, EP4, EP5, EP6, H9, TR5 and TR7.

South Bucks Local Development Framework Core Strategy (adopted February 2011) CP8, CP9, CP12 and CP13.

Other material considerations:-

Residential Design Guide SPD
Interim Guidance on Residential Parking Standards
South Bucks Townscape Character Study 2014

1.0 KEY POLICY ASSESSMENT:

1.1 The NPPF was published on the 27th March 2012 and whilst this replaced the previous Planning Policy Statements and Guidance Notes, it does not replace existing local policies that form part of the development plan. It does state however, that the weight that should be given to these existing local policies and plans will be dependent on their degree of consistency with the NPPF. Therefore, the closer the policies in the development plan to the policies in the Framework, the greater the weight that may be given to them. With regard to this specific application, it is considered that all of the relevant local policies, as highlighted above, are in accordance with the NPPF, and as such, it is considered that they should be afforded significant weight and that it is considered appropriate to still assess this current application against the relevant local policies set out above.

2.0 VISUAL IMPACT/IMPACT ON LOCALITY:

2.1 The site is located within the developed area of Farnham where new dwellings can be acceptable provided that they do not adversely affect any interests of acknowledged importance, which include factors such as the character and appearance of the area and the amenity of neighbouring properties.

2.2 The NPPF states that 'housing applications should be considered in the context of the presumption in favour of sustainable development (para 49). The NPPF also suggests that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area (para 53)'. Part of the application site is currently a section of a residential garden. This Council already has such policies in the form of policy H10 of the Local Plan, which resists the development of residential garden land. This application site does not fall within the designation (Residential Area of Exceptional Character) that policy H10 applies to, as it is not considered that its character and appearance warrants the special protection afforded by policy H10. The remainder of the site is not directly connected to a residential garden use, and is located within the developed area of Farnham, whilst still being adjacent to existing residential properties. As such, it is considered that the principle of the introduction of residential use on this land would be acceptable.

2.3 The resultant density of the scheme still forms an important part of the overall consideration of the proposal. The proposal would result in a density of approx. 33.5dph. Whilst this is considered a fairly high level of density, the adjoining development to the south also displays a fairly high density. Therefore it is considered that the proposed density is not out of keeping for the immediate vicinity. It is also marginally lower than

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the approved scheme, 14/00331/FUL. What is important to assess in connection to this is how the proposed development has been designed in terms of its layout, size, scale and massing.

2.4 In terms of layout, the proposed unit on plot 4 would follow the general siting and orientation of the extant scheme on the site. On this basis, it is considered that the positioning and layout of this unit is appropriate and acceptable. With regard to plots 2 and 3, in comparison to the extant scheme, these plots would be turned 90 degrees clockwise so as to face southwards towards the existing properties within Kingsway Mews. It is acknowledged that they would relate in to the Kingsway Mews development. Therefore overall, on balance, it is considered that the proposed principle of the layout of these units, in the context of the layout of existing development, would be acceptable.

2.5 The level of spaciousness retained on site is considered acceptable. The gaps retained to the flank boundaries are considered acceptable, with the residential outdoor amenity space for the proposed dwellings also being considered sufficient, and comparable to that seen elsewhere within the locality, especially those within Kingsway Mews. As such, overall, it is considered that the proposal would not appear cramped or out of place, nor would it represent an overdevelopment of the site.

2.6 It is considered that the proposed dwellings are of an appropriate architecture, and of a sufficient quality so as to not appear significantly out of keeping for the locality. The proposed dwelling on plot 4 is almost identical to that of the approved scheme, whilst the proposed dwellings on plots 2 and 3 display a similar appearance to that of the existing dwellings within Kingsway Mews.

2.7 With regard to the size and scale of the proposed dwellings, it is not considered that the ridge heights are excessive, especially in light of similar ridge heights within the vicinity. Overall, it is considered that the proposed dwellings would be of a size and scale that would not be excessive or inappropriate for this area, and therefore would not appear overdominant or obtrusive within locality or the existing street scene.

2.8 Overall, it is considered that the proposed development would not prejudice or threaten the specific characteristics of this site and locality, and as such, it is considered that the proposal is an effective use of land in the developed area in accordance with policies EP3, H9 and CP8.

3.0 NEIGHBOUR IMPACT:

3.1 The dwelling on plot 4 would replicate the relationship with existing neighbouring properties as the approved scheme in terms of siting and distances. On this basis, it is considered that sufficient distances are retained to the sites boundaries and the neighbouring dwellings themselves so as to not result in an unacceptable level of overlooking, nor would it lead to an unacceptable loss of light or appear over-dominant or obtrusive.

3.2 With regard to the proposed dwellings on plots 2 and 3, the distances retained to the rear of the properties along Green Lane would be in excess of 21m, as well as being set at an acute angle. Given these distances, it is considered that there would be no unacceptable overlooking opportunities created by the first floor rear windows. It is noted that plot 2 would have a first floor side window directly facing towards 'Southwood', however, given the substantial distance retained, approximately 30m, it is not considered that there would be any unacceptable overlooking from this window.

3.3 In terms of potential overlooking towards the existing properties within Kingsway Mews, there would be some views from the first and second floor windows of the dwelling on plot 2, towards and into the rear garden of primarily No.6 Kingsway Mews. A distance of approximately 16m would be retained to the rear of the No.6, with a distance of approximately 17m retained from the dormer window. The applicant has advised that if considered necessary by the Council, the bottom casement of both of these windows could be fitted with obscure glazing in order to further negate any possible overlooking. It is considered that this is a reasonable approach, and can be secured by means of condition. On the basis of this approach, it is considered that there would be no unacceptable overlooking opportunities created.

3.4 Given the distances retained to the neighbouring properties, it is considered that the proposed dwellings would not appear overdominant or obtrusive.

4.0 PARKING/ACCESS/HIGHWAY IMPLICATIONS:

4.1 The County Highways Authority does not raise any objections as they consider that the proposal would not lead to any unacceptable highway implications. They considered that the existing highway network could safely accommodate the increase in vehicular movements. They also considered that the existing vehicular access point onto Kingsway is acceptable and provides sufficient visibility. They also consider that the access road into Kingsway Mews is of sufficient width and there is adequate manoeuvring space within the site.

4.2 Plot 4 is a three bed dwelling and is provided with two off street parking spaces, which accords with the parking standards set out in the Local Plan. Plots 2 and 3 are shown as having 3 bedrooms, but also include a good sized study. It is considered that these studies could reasonably be used as a fourth bedroom. On this basis, these dwellings should be provided with 3 parking spaces each in order to accord with the Councils parking standards. Each of these dwellings would be provided with 3 spaces, comprising one within the integral garage and two spaces to the front of the dwellings. As such the proposal would meet the relevant parking standards.

4.3 Therefore, notwithstanding the significant concerns raised by the local residents in relation to highway implications and parking congestion, in light of the above, it is not considered that there are any highways or parking grounds to refuse the scheme and uphold that decision at appeal.

5.0 TREES/LANDSCAPING:

5.1 The Council's Arboriculturalist has raised no objections to the proposals and a detailed landscape scheme can be obtained by way of condition.

6.0 OTHER ISSUES:

6.1 The Council's Building Control Section raise no objections from the point of view of fire brigade and disabled access.

6.2 The SBDC Waste department advise that they have no issues with obtaining access to the new properties. They do advise that the existing trees at the entrance to Kingsway Mews need to be maintained in order to prevent an obstruction to their vehicles. This is however a matter of tree maintenance and the responsibility of the land owner to address.

6.3 It is acknowledged that the application site is located a short distance from Burnham Beeches, and the objections raised by the City of London are noted. However, the Council produced a Habitats regulation Assessment (HRA) screening statement for the Core Strategy which concluded there would be no adverse impacts in relation to Burnham Beeches Special Area of Conservation (SAC). The current proposal to build dwellings in the developed area accords with the Core Strategy and the related screening statement. It is worth noting that Natural England have consistently confirmed that proposals for new dwellings will not adversely affect the SAC, in isolation or in combination with other developments. This is because there is no evidence that such developments adversely impact on the special features that have resulted in the SAC being designated, those being the acid beech forest, its shrub layer and the habitat for invertebrates and epiphytes that it provides. It is important to note that the advice from Natural England on this current application is that they do not consider that it is likely to have a significant impact on the SAC. In these circumstances the Council do not consider there will be any likely significant effect. As there is no likely significant effect on the SAC no further Appropriate Assessment under the Habitat Regulations need be undertaken. The site does lie within the Withy Stream Catchment Area, however a Hydrological assessment has been undertaken. Natural England have assessed these details and consider that if the infiltration techniques recommended within the hydrological report are implemented, then the proposed development will not adversely impact upon Burnham Beeches from a hydrological point of view.

6.4 The County Ecologist raises no objections to the proposals.

6.5 There is no evidence that warrants the application being refused on grounds relating to increased pressure on local infrastructure.

6.6 Whilst it is acknowledged that the land was previously owned by the Council, the application has been submitted by an independent planning agent on behalf of a developer with no connection or involvement with the Council. It is not considered that this raises any conflict of interests.

6.7 Concerns raised regarding damage to the existing road surface is a third party matter which would need to be addressed by the parties involved.

CONCLUSION:

It is considered that a fair balance would be struck between the interests of the community and the human rights of the individuals in the event of planning permission being granted in this instance.

Due to the significant concerns raised by the Parish Council and local residents it is considered that value would be added to the decision making process if **MEMBERS** were to carry out a **SITE VISIT** prior to their determination of this application.

RECOMMENDATION:

Full Planning Permission

Conditions & Reasons:

1. NS01 Standard Time Limit - Full Application
2. NMS09A Development To Accord With Application Drawings
3. NM01 Schedule or Sample of Materials
4. NM02 Surface Materials
5. Notwithstanding any indications illustrated on drawings already submitted, no development shall take place until there has been submitted to and approved by the District Planning Authority in writing a biodiversity/ecological enhancement and landscape scheme.

The scheme shall include indications of all existing/proposed trees, shrubs and hedgerows on the site and details, including crown spreads, of those to be retained. None of the trees, shrubs or hedgerows to be planted or shown for retention shall be removed or felled, lopped or topped within a period of five years from the date of this permission, without the prior written permission of the District Planning Authority.

Reason: To protect and enhance the biodiversity and ecology of the site and to ensure satisfactory landscaping of the site in the interests of visual amenity. (Core Policy 9 of the South Bucks Local Development Framework Core Strategy (adopted February 2011) and Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)

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

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

7. Notwithstanding the provisions of Article 3 and Classes A, B, C, & E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and/or re-enacting that Order with or without modification), no enlargement, improvement or other alteration (including the erection of a garage, stable, loosebox or coach-house within the curtilage) of or to dwellinghouse the subject of this permission, shall be carried out nor shall any building or enclosure required for a purpose incidental to the enjoyment of any said dwellinghouse as such be constructed or placed on any part of the land covered by this permission. (ND12)

Reason: The nature and density of the layout requires strict control over the form of any additional development which may be proposed in the interests of maintaining a satisfactory residential environment. (Policies EP3 and H9 of the South Bucks District Local Plan (adopted March 1999) refer.)

8. The garages incorporated into the development hereby permitted shall not be used other than for the accommodation of private motor vehicles or for purposes incidental to the enjoyment of the dwellinghouses as such, and, in particular, shall not be used for any business purpose, nor converted into living accommodation without planning permission having first been obtained via the submission of a planning application to the District Planning Authority. (ND02)

Reason: To accord with the terms of the submitted application, to safeguard the amenities of the area and to ensure continued compliance with the District Planning Authority's adopted car parking standards in the interests of the free flow of traffic and conditions of safety on the neighbouring highway. (Policies EP3 and TR7 of the South Bucks District Local Plan (adopted March 1999) refer.)

9. No further windows shall be inserted at or above first floor level in the western rear elevation of the dwelling on plot 4 hereby permitted. (ND17)

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

10. No windows shall be inserted at or above first floor level in the northern side elevation of the dwelling on plot 4 hereby permitted. (ND05)

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

11. The lower half of the most westerly first floor window in the front elevation, as well as the front dormer window, on the dwelling on plot 2 hereby approved, shall be fitted and permanently maintained with obscure glass.

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

12. NH46 PARKING FULL

13. The development hereby approved shall be implemented in accordance with the recommendations as set out in the Hydrological Assessment produced by CES Ltd, submitted and approved as part of this application.

Reason: To protect and prevent harm to the hydrology of Burnham Beeches Special Area of Conservation. Policy CP9 of the South Bucks District Core Strategy (adopted February 2011) refers.)

14. Prior to the commencement of works, a plan detailing the erection of protective fencing for trees and other vegetation shall be submitted to and approved in writing by the District Planning Authority. The plan shall be implemented prior to the commencement of all works, including demolition of any buildings on site, and shall include the accurate representation of the crown spreads of all trees, shrubs and other significant vegetation. All protective fencing erected to protect existing trees and other vegetation during construction shall conform to British Standard 5837:2012 'Trees in relation to design, demolition and construction' or any replacement thereof or EU equivalent and shall consist of a vertical and horizontal scaffold framework, well braced to resist impacts, with vertical tubes spaced at a maximum interval

of 3m. Onto this, weldmesh panels shall be securely fixed with wire or scaffold clamps. The fencing shall be retained and maintained until all building, engineering or other operations have been completed. No work shall be carried out or materials stored within the fenced area without the prior written consent of the District Planning Authority. (NT14A)

Reason: To ensure that the crowns, boles and root systems of the shrubs, trees and hedgerows are not damaged during the period of construction and in the long term interests of local amenities. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)

15. The destruction by burning, of materials within the site shall not take place within 8 metres of the furthest extent of the canopy of any tree or group tree to be retained on the site or on land adjoining. Similarly, no building materials, equipment, vehicles, plant, oil or other petroleum products shall be stored or allowed to stand within the branch spread of the trees to be retained on site. (NT12)

Reason: To ensure that the trees to be retained are adequately protected, in the interests of visual amenity. (Policies EP3 and EP4 of the South Bucks District Local Plan (adopted March 1999) refer.)

16. NT08 Walls & Fencing details - dwellings

Informatives:-

1. IN02 Details Required Pursuant to Conditions - 3, 4, 5, 14, and 16
 2. IN35 Considerate Constructor
 3. IH23 Mud on the Highway
 4. IH24 Obstruction of the Highway
5. All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), including their nests (whilst in use or being built) as well as any eggs the nest may contain. Therefore, vegetation should not be removed nor buildings demolished during the bird nesting season. This is weather dependant but generally extends from 1st March to 31st August (inclusive). If this is not possible, a qualified ecologist should check the areas concerned immediately prior to vegetation removal/building demolition to ensure that no nesting or nest-building birds are present. If any nesting or nest-building birds are present, no vegetation/building demolition shall be removed until the fledglings have left the nest.

LIST OF APPROVED PLANS

Plan number/name	Date received by District Planning Authority
A1 3772 PLA1.02 E	27.09.2016
A1 3772 PLA 1.01 G	27.09.2016
A1 3772 PLA 1.00 H	27.09.2016

PART A**South Bucks District Council
Planning Committee****Date of Meeting:** 26 October 2016**Parish:** Gerrards Cross Town Council

Reference No:	16/01460/FUL	Full Application
Proposal:	Replacement dwelling (Amendment to planning permission 15/00898/FUL).	
Location:	Friars Cottage, 38 Fulmer Road, Gerrards Cross, Buckinghamshire, SL9 7EE	
Applicant:	Mr & Mrs G Franks	
Agent:	Mr P Luard	
Date Valid Appl Recd:	8th August 2016	
Recommendation:	PER	

LOCATION PLAN – This plan is supplied only to identify the location of the site and for no other purpose whatsoever.



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SCALE : NOT TO SCALE

THE PROPOSAL:

Permission is sought for a replacement dwellinghouse. This application has been described as an amendment to planning permission 15/00898/FUL for 'Part two storey, part single storey side and rear extensions'. However, whilst building works were being undertaken in relation to the previous permission, the entirety of the existing property was demolished with the applicant citing the structural integrity of the building as the reason for demolition.

With the entirety of the original property being demolished, the applicant subsequently sought and undertook the rebuilding of the property to almost entirely the same design and dimensions of the original property with the addition of the previously approved extensions. However, given that the previous permission related to extensions to the property only and not the rebuilding of the entire dwelling, the building works undertaken did not benefit from planning permission.

As such, the current application has been submitted, focusing on the works as constituting a replacement dwellinghouse.

The replacement dwellinghouse has been detailed on the plans as being almost identical to the previous dwellinghouse on site with the addition of the approved extensions. However, there are two minor differences which are as follows:

- The chimney that was previously in situ on the front elevation of the dwellinghouse has been removed and the new plans indicate that it would not be replaced;
- The depth of the two storey central rear projection has been reduced by 1m in comparison to the works previously approved under planning permission 15/00898/FUL.

LOCATION AND DESCRIPTION OF SITE:

The application site consists of a detached dwellinghouse on the western side of Fulmer Road in the Developed Area of Gerrards Cross. This section of Fulmer Road has been designated as a Green Suburban Road in the South Bucks Townscape Character Study. It should also be noted that the building works for the replacement dwelling are ongoing but significantly advanced.

RELEVANT PLANNING HISTORY:

- | | |
|---------------|---|
| 92/00305/FUL: | Two storey side and single storey side and rear extension - to incorporate car port and garage. Conditional Permission. |
| 01/00814/FUL: | Erection of detached open fronted double garage. Conditional Permission. |
| 13/00062/FUL: | Part single/ part two storey side extensions and a part single / part two storey rear extension. Refused. |
| 13/00909/FUL: | Part single/ part two storey side extensions and a part single / part two storey rear extension. Refused. |
| 14/01359/FUL: | Part two storey, part single storey side and rear extensions. Refused. (Allowed on appeal). |

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15/00898/FUL: Part two storey, part single storey side and rear extensions. (Amendment to Planning Permission 14/01359/FUL). Conditional Permission.

REPRESENTATIONS AND CONSULTATIONS:

TOWN COUNCIL COMMENTS:

'Council has no objection to planning application but recommend that measurements from the new build to the boundary with No.40 Fulmer Road are checked to ensure accuracy with the plans as submitted.'

CORRESPONDENCE:

A total of 15 letters of objection have been received. It should be noted that 6 of the received letters have included postal addresses within South Bucks District, with the additional 9 letters not including any form of postal address. A collective summary of the comments received is as follows:

- Overdevelopment of the plot;
- Adverse impact on character of the locality;
- Overbearing, visually obtrusive and overdominant;
- Would lead to adverse impact on privacy of neighbouring properties and cause significant overshadowing;
- Was repeatedly refused and then granted on appeal - granting of application on appeal was for extensions only and not completely new dwelling;
- 'Naivety' of applicants having to demolish the entire property should be not an excuse to allow for the development to be granted;
- Proposals fail to respect 1m boundary rule.

SPECIALIST ADVICE:

Building Control Officer:

The proposed design is satisfactory with regard to the requirements for fire brigade access, disabled access and facilities appear satisfactory.

ISSUES AND POLICY CONSIDERATIONS:

National Policy:

National Planning Policy Framework (2012)

National Planning Practice Guidance (2014)

South Bucks District Local Plan (adopted March 1999) (Saved policies) EP3, EP4, EP5, H9 and TR7

South Bucks Local Development Framework Core Strategy (adopted February 2011).

Other material considerations:

South Bucks District Residential Design Guide SPD (published October 2008)

South Bucks Townscape Character Study (published February 2014)

Classification: OFFICIAL

1.0 KEY POLICY ASSESSMENT:

1.1 BACKGROUND:

1.2 A previous application for part two storey/part single storey side and rear extensions to the property was refused by the Council under Ref: 14/01359/FUL. However, the application was subsequently allowed on appeal with the inspector concluding that the appearance of the resultant dwellinghouse would be acceptable. The inspector stated that:

'The presence of trees in the highway and front gardens, together with high hedges, boundary walls and gates, limits the extent to which some of the houses can be seen. However the unusual design of the appeal property results in it having a less assertive presence than nearby houses which have wider full-height front elevations.'

1.3 The inspector also concluded that the proposals would not materially detract from the outlook of the neighbouring occupiers. It was also concluded that given the single storey rear extension would be offset from the boundary with an intervening fence it would not appear to be unacceptably overbearing or visually obtrusive. It was also noted from the Inspector's report that due to the scale and character of neighbouring properties and the relatively large gardens, the proposals would not be unacceptably overdominant or appear out of place.

1.4 Another particular point of note that the inspector considered was that the occupiers of No. 40 had indicated concern at the effect of the proposal on the outlook from a side window in their master bedroom. However, the inspector concluded that the window appeared to be within a two storey rear projection that was some distance from the proposal. Whilst the proposed development would be seen from that window, it was considered that it would not unacceptably detract from the existing outlook.

1.5 Following the granting of planning permission on appeal, a subsequent application was received which sought to amend the permission under Ref: 15/00898/FUL by way of increasing the depth of the first floor element of the approved two storey rear gable end. The officer report concluded that the amendment would have no further impact on the visual amenity of the wider locality or on the amenities of neighbouring occupier's than the permission which had previously been granted on appeal. As such, the amendment was granted permission.

1.6 The current application which is the subject of this assessment is for a replacement dwellinghouse following the demolition of the dwelling during building works relating to the previous permission. As such, the ongoing building works on site are being undertaken without the benefit of planning permission due to the dwelling previously being in situ on site. That being said, following an observation of the plans and the current building works on site, it appears that the proposed replacement dwellinghouse would not be materially different to the dwelling which would have resulted from the grant of planning permission 15/00898/FUL aside from the minor changes as detailed at the beginning of this report. In fact these changes reduce the size of the development from what has been approved.

1.7 It should be noted that this application relates to a replacement dwellinghouse which must be assessed on its own merits. That being said, given that the planning inspector considered the previous proposal to be acceptable, the Council must give considerable weight to this previous decision when determining this application. The same is also true for the subsequent amendment which was granted approval by the Council.

2.0 VISUAL IMPACT/ IMPACT ON LOCALITY:

2.1 The removal of the chimney and reduction in depth of the first floor rear projection have no impact that would now make the scheme unacceptable when compared to that allowed on appeal.

3.0 NEIGHBOUR IMPACT:

3.1 Concerns have been raised by the neighbouring occupier of No. 40 regarding the impact of the proposed development on their visual outlook and their privacy. Whilst their concerns have been noted and taken into account, it is considered that the impact of the proposed dwelling would be no different than the previously consented resultant dwellinghouse granted on appeal. The same conclusion is relevant regarding the impact other surrounding properties.

4.0 TREES/LANDSCAPING:

4.1 The proposed works do not indicate the removal of any trees and it is not considered that any trees of significant merit would be impacted by these proposals. As such, the proposed development is considered compliant with policy EP4 of the Local Plan.

5.0 PARKING:

5.1 No concerns were raised with regards to parking provision on site for the previously consented planning permission and the same is considered for this application. As such, the proposal would comply with policy TR7.

6.0 OTHER ISSUES

6.1 Given the significant increase of built development when compared to the dwellinghouse previously in situ on site, it would seem reasonable to remove permitted development rights related to householder extensions and outbuildings if planning permission were to be granted.

CONCLUSION:

In conclusion, I am satisfied that a fair balance would be struck between the interests of the community and the human rights of the individuals in the event of planning permission being granted in this instance.

Due to the strong objections from the Town Council and local residents it is considered that value would be added to the decision making process if **MEMBERS** were to carry out a **SITE VISIT** prior to their determination of this application.

RECOMMENDATION:

Full Planning Permission

Conditions & Reasons:

1. NMS09A Development To Accord With Application Drawings
2. Within 1 month of the permission hereby granted samples and/or a schedule of materials to be used in the elevations of the development hereby permitted shall be submitted to the District Planning Authority for approval in writing. Thereafter the development shall be carried out in accordance with the approved details. (NM01)

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

3. ND04 Windows fitted with obscure glass - north and south- dwellinghouse - properties
4. No further windows shall be inserted at or above first floor level in the north and south elevation(s) of the dwellinghouse hereby permitted. (ND05)

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

5. The roof area of the first floor rear elements of the dwellinghouse hereby permitted shall not be used as a balcony, roof garden, sitting out area or similar amenity area without the grant of further specific permission from the District Planning Authority. (ND11)

Reason: To preserve the privacy and amenities of the adjacent property occupiers. (Policies EP3 and H11 of the South Bucks District Local Plan (adopted March 1999) refer.)

6. NT12 Control Of Burning Of Materials - LPS-1333-201
7. ND12 Exclusion of PD Part 1 Density of layout - the

Informatives:-

1. IN35 Considerate Constructor

LIST OF APPROVED PLANS

Plan number/name	Date received by District Planning Authority
LPS-1333-200	08.08.2016
LPS-1333-201	08.08.2016

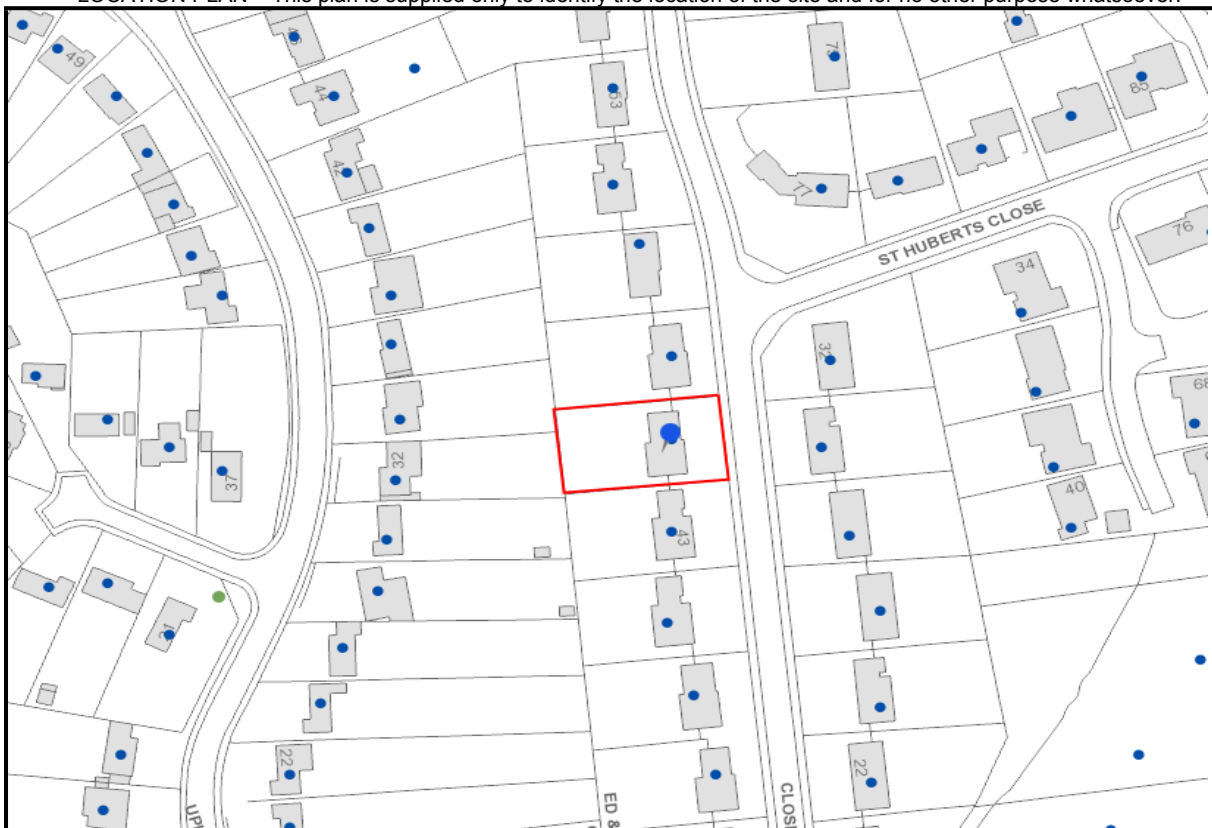
PART A

South Bucks District Council Planning Committee

Date of Meeting: 26 October 2016 **Parish:** Gerrards Cross Town Council

Reference No:	16/01500/FUL	Full Application
Proposal:	Replacement dwelling with attached garage.	
Location:	45, St Huberts Close, Gerrards Cross, Buckinghamshire, SL9 7EN,	
Applicant:	Halamar Developments Ltd.	
Agent:	Mr Robert Clarke	
Date Valid Appl Recd:	16th August 2016	
Recommendation:	PER	

LOCATION PLAN – This plan is supplied only to identify the location of the site and for no other purpose whatsoever.



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South Bucks District Council
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SCALE : NOT TO SCALE

THE PROPOSAL:

Planning permission is sought for the replacement of the existing detached dwelling with attached garage with a larger detached neo-Georgian style dwelling with attached garage. The eaves height of the proposed dwelling would be 5.3 metres and the crown roof would be at a height of 6.7m with a central roof lantern at a height of 7 metres.

LOCATION & DESCRIPTION OF SITE:

The application site lies on the west side of St. Huberts Close within the Developed Area of Gerrards Cross.

The trees on this site are subject to a South Bucks District Council Tree Preservation Order 04, 1972.

RELEVANT PLANNING HISTORY:

None.

REPRESENTATIONS & CONSULTATIONS :**TOWN COUNCIL COMMENTS:**

Council objects to this application:

St. Huberts Close is a residential area identified as an Area of Special Character (S Bucks Townscape Character Study, Feb 2014, 2.2.9) and this application is considered to be out of keeping with other properties, does not relate well to the plot coverage that is characteristic of earlier development and would set a precedent for future planning in this area.

CORRESPONDENCE:

16 letters of objection has been received raising the following:

- Out of character;
- Increased roof height and bulk and prominent incongruous chimney;
- Increase in bulk is exacerbated by height of the land compared to neighbouring properties;
- Encroachment into the space around the existing dwelling;
- Front wall would be nearer to the road frontage;
- Introduction of an uncharacteristic, pillared porch and hardsurfacing to the front;
- Inadequate garage dimensions for modern vehicles;
- Introduction of additional front fenestration;
- Absence of characteristic window shutters;
- Detrimental to this area which is identified as an area of special character in the South Bucks Townscape Character Study (2014);
- Timber clad dwellings are a characteristic of this area;
- Setting of an unacceptable precedent;
- A fine example of American Colonial style housing used in films;
- Loss of privacy and light to 43 and 47 St Huberts Close;
- Exacerbate risk of subsidence;

Classification: OFFICIAL

- Numerous underground streams affecting stability in this locality;
- Impact on protected trees;
- Removal of existing vegetation and hedges;
- Loss of trees would negatively impact on local wildlife;
- Increased hardsurfacing would increase risk of flooding;
- Unsustainable form of development to unnecessarily replace the existing dwelling;
- Unfounded claim to be more energy efficient;
- Planning Committee should visit the application site prior to determining any application.

One letter has also been received from Bickertons Aerodromes stating that future occupants would inevitably hear and see aircraft operations associated with Denham Aerodrome.

SPECIALIST ADVICE:

Building Control:

No objections regarding fire brigade or disabled access. Facilities also appear satisfactory.

Arboriculturist:

No objection subject to imposition of condition NT14.

Highways:

No objections.

ISSUES & POLICY CONSIDERATIONS:

RELEVANT POLICY:

National Policy
National Planning Policy Framework
National Planning Practice Guidance

Development Plan:

South Bucks District Local Plan (adopted March 1999) (Saved policies) L10, H9, EP3, EP4, EP5 and TR7

South Bucks Local Development Framework Core Strategy (adopted February 2011) CP1, CP2, CP7, CP8 and CP12

Other material considerations:-

Residential Design Guide SPD
South Bucks Townscape Character Study
Interim Guidance on Residential Parking Standards

Classification: OFFICIAL

1.0 KEY POLICY ASSESSMENT:

1.1 VISUAL IMPACT ON LOCALITY

1.2 The South Bucks Townscape Character Study identifies St. Huberts Close as being an Area of Special Character. In this connection, the Study recommends the retention of the existing pattern of open plan landscaped frontages, that the piecemeal redevelopment of individual plots may dilute the uniform character of the locality and so new development should be carefully designed to 'reflect the character, form and materials of the existing buildings', that parking should be carefully integrated to avoid the introduction of hard landscaped front gardens to accommodate cars, grass verges and soft landscaping should be retained and wooded backdrops should be preserved to create landscape character.

1.3 Objections have been received from neighbouring residents and the Town Council on the grounds that the proposed development would be out of character and would set an unfortunate precedent that would be detrimental to this identified area of special character.

1.4 The majority of properties on this stretch of St Huberts Close are of a similar design and proportion, and so the road is described in the South Bucks Townscape Character Study as being 'sensitive to new development as a result of its homogeneity'. St. Huberts Close is described as having an open road with no boundary treatment, well groomed lawns and planted front gardens. The architectural approach of the street has also been described as 'distinctive', with shallow pitched roofs with ridge lines alternating between parallel and perpendicular to the road. There is also a consistent palette of materials with houses either clad in white timber with painted decorative window shutters or made of brick at ground floor level with dark timber cladding at first floor.

1.5 The objections have been noted, but this is not a Conservation Area where new development must safeguard or enhance the appearance or a Residential Areas of Exceptional Character (RAEC) so the application does not benefit from the same type protection, although new development should still be sensitive to the character of the locality.

1.6 In this regard, the existing perpendicular roof to the road would effectively be replaced with a shallow pitch roof but with a crown top because of the increased width and depth of the proposed dwelling. Although the proposed dwelling and attached garage would extend across a greater proportion of the site, it would still leave a degree of spaciousness to the side boundaries, especially given the single storey pitched roof garaging to the north side of the site. The proposed materials would comprise unpainted brickwork as compared to the existing white timber 1st floor and unpainted ground floor brickwork but the proposed dwelling would not be unduly bulky.

1.7 The proposed front elevation would be positioned forward of the existing front elevation but would not project in front of the front elevation of the neighbouring property at No. 47 and the site plan has been amended so that there would be no significant loss of soft landscaping as a result of the proposed positioning of the front elevation nearer to the road, there would still be a large area of lawn and the protected silver birch tree would be retained.

1.8 It is a material consideration that planning permission was refused for extensions at 41 St. Hubert's Close on the ground that they were not in keeping with the character of this area and unsympathetic in the context of this Area of Special Character and it is also a material consideration that if planning permission is forthcoming for this application, it may be a precursor to further applications for similar forms of development elsewhere on St. Hubert's Close. However, given that this is not a Conservation Area or Residential Area

of Exceptional Character and given the comparable overall height of the proposed dwelling and the maintenance of an open plan frontage and given that similar designs of dwelling can be found in the near vicinity, it is considered that planning permission may be forthcoming subject to the imposition of conditions to maintain the open frontage and to ensure the elevational materials are sympathetic. Furthermore it is considered that whilst the proposed dwelling might not be identical to others in the vicinity it is in keeping with the character of the area and would represent a reasonable quality addition to the street scene.

2.0 NEIGHBOUR IMPACT

2.1 There is a single storey conservatory at the rear of the existing dwelling that extends to about 2.4 metres from the boundary with No. 43 St. Huberts Close. The proposed development would introduce a bulkier form of development with its 2 storey flank elevation extending midway back along the depth of the existing rear conservatory and with the 2 storey flank elevation extending to about 1 metre from the garden boundary with No. 43. The application site is at a higher level than that of No. 43 and although some additional windows are proposed at ground floor level, providing those windows at 1st floor level would be obscure glazed and with restrictive opening and providing the 1st floor flat roof is not used as a terrace, there would not be an unreasonable loss of privacy. Furthermore, the proposed increase in bulk would be to the north of No. 43 and so would not affect the sunlight that property receives and, although it would be more noticeable particularly at 1st floor and roof level, it would not be unduly obtrusive as viewed from No. 43 such as to be able to substantiate a reason for refusal.

2.2 The existing attached garage extends to about 2.8m from the garden boundary with No. 47 whereas the proposed attached garage would extend to about 1.2m from the garden boundary with No. 47 and would extend further forward and deeper into the site than the existing attached garage. However, the development nearest to No. 47 would be single storey and, although the application site lies to the south of No. 47 and would be more noticeable, it would not result in a material loss of sunlight or an unacceptably obtrusive impact. Providing those windows in the side elevation at 1st floor level would be obscure glazed and with restrictive opening and providing the rear flat roof was not used as a terrace, there would not be an unreasonable loss of privacy.

3.0 PARKING / ACCESS/HIGHWAY IMPLICATIONS

3.1 The proposed dwelling would have 5 bedrooms and so in order to comply with the Council's Interim Residential Parking standards, 3 on-site parking spaces would be required and 2 tandem garage spaces and space to park 2 more vehicles on hardsurfacing to the front would be provided in compliance with those standards.

3.2 The Highways Authority has raised no objection on highways grounds.

4.0 TREES/LANDSCAPING

4.1 Trees on this site are protected by a Tree Preservation Order and have been taken into account. Consequently, the Council's Arboriculturalist has raised no objection to the proposals subject to the imposition of a condition requiring compliance with the Arboricultural Method Statement submitted on 28 August, 2016.

4.2 Purportedly some pre-existing vegetation was removed before the submission of this application but it was not subject to any legal protection and although concerns have been raised that the loss of trees/vegetation would adversely impact on local wildlife, there are still a number of protected mature trees on this application site and elsewhere in this locality and a suitable residential garden area is retained as part of the proposal.

5.0 OTHER ISSUES

5.1 A number of objections have referred to subsidence problems in the vicinity and underground streams causing problems in this connection. However, the structural stability of this proposal is the subject of compliance with the Building Regulations.

5.2 There is also concern regarding the underground streams and flooding, which would be exacerbated by increased hardsurfacing. However, it is also a material consideration that permitted development rights allow for hardsurfacing within curtilages and a sufficient extent of soft surfacing would be retained to preclude an unacceptable impact and a further spread of development could be controlled by the imposition of conditions removing permitted development rights.

5.3 Objection has been raised on sustainable grounds regarding the principle of replacing an existing habitable dwelling, but that does not constitute a reasonable planning reason for refusal in a developed area where new housing is acceptable in principle.

5.4 The proposed dwelling would have to comply with the energy efficiency requirements of the Building Regulations whereas it is not possible to retrospectively impose those requirements on the existing dwelling, although it is true that sustainable energy solutions may be introduced at the existing dwelling.

CONCLUSION

I am satisfied that a fair balance would be struck between the interests of the community and the human rights of the individuals in the event of planning permission being granted in this instance.

Given the strong objections from the Town Council and local residents it is considered that value would be added if **MEMBERS** were to undertake a **SITE VISIT** prior to the determination of this application.

RECOMMENDATION

Full Planning Permission

Conditions & Reasons:

1. NS01 Standard Time Limit - Full Application
2. NMS09A Development To Accord With Application Drawings
3. NH46 Parking Full
4. The first floor windows in the side elevations of the dwellinghouse hereby permitted shall be fitted and permanently maintained with obscure glass and only the top third shall be openable.

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining dwellinghouses. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
5. The roof area of the ground floor rear projection hereby permitted shall not be used as a balcony, roof garden, sitting out area or similar amenity area without the grant of further specific permission from the District Planning Authority.

Reason: To preserve the privacy and amenities of the adjacent property occupiers. (Policies EP3 and H11 of the South Bucks District Local Plan (adopted March 1999) refer.)

6. No further windows shall be inserted at or above first floor level in any of the elevations of the dwellinghouse hereby permitted.

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

7. **NM01** **Schedule or Sample of Materials**
 8. **NM02** **Surface Materials**
 9. **NT18** **Completion in accordance with Method Statement**
 10. Notwithstanding the provisions of Article 3 and Classes A, B, E and F of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and/or re-enacting that Order with or without modification), no enlargement, improvement or other alteration (including the erection of a garage, stable, loosebox or coach-house within the curtilage) of or to the dwellinghouse the subject of this permission, shall be carried out nor shall any building or enclosure required for a purpose incidental to the enjoyment of any said dwellinghouse as such be constructed or placed on any part of the land covered by this permission.

Reason: The nature and density of the layout requires strict control over the form of any additional development which may be proposed in the interests of maintaining a satisfactory residential environment. (Policies EP3 and H9 of the South Bucks District Local Plan (adopted March 1999) refer.)

11. **ND15** **Exclusion of PD Part 2 Class A - dwellinghouse - fronts**
 12. No development shall take place until any buildings and/or means of enclosure and/or hardsurfacing constructed under Article 3 and Classes E and F of Part 1 and/or Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (as amended or any Order revoking and re-enacting that Order with or without modification) following the granting of this permission and prior to the commencement of works the subject of this permission, have been removed or demolished in their entirety. All materials resulting from such removal/demolition shall be removed from the site by the substantial completion or occupation of the development hereby permitted, whichever is the sooner.

Reason: The site is located within an identified Area of Special Character wherein strict control over development is necessary to maintain the openness of the frontages and to ensure a satisfactory development in accordance with the terms of the application (Policies H9 and EP3 of the South Bucks District Local Plan (adopted March 1999) and the South Bucks Townscape Character Study and Core Policy 8 of the South Bucks Core Strategy, adopted February 2011 refer.)

Informatives:-

1. **IN02** **Details Required Pursuant to Conditions - 7 and 8**
2. Attention is drawn to the South Bucks District Council Tree Preservation Order No. 04, 1972 which relates to this site. If work is contemplated to any of the protected trees, other than work specifically approved by this Planning Permission or by a separate Consent, reference should be made to the District Planning Authority to ascertain whether an application for Consent is required. Where work is necessary to prevent danger or to abate a nuisance, it may be exempt from such requirements, but except in cases of emergency the Council/District Authority should be contacted at least five working days before any work to the protected tree/s is/are due to commence. (IN12)
3. IN35 Considerate constructor

LIST OF APPROVED PLANS

Plan number/name	Date received by District Planning Authority
Ordnance Survey	16.08.2016
SHC/02/b	10.10.2016
SHC/01	16.08.2016
SHC/05/a	16.08.2016
SHC/04/a	16.08.2016
SHC/03/a	16.08.2016
SHC/07/a	16.08.2016
SHC/06/a	16.08.2016
Arboricultural Survey	16.08.2016
Arboricultural Method	28.08.2016

PART A

South Bucks District Council Planning Committee

Date of Meeting: 26 October 2016 **Town Council:** Beaconsfield Town Council

Reference No:	16/01517/FUL	Full Application
Proposal:	Detached building containing six apartments incorporating basement and roof accommodation, access ramp and associated landscaping. Single storey concierge/refuse building and alteration to front boundary wall/gates and width of vehicular access.	
Location:	Northfield, 40 Penn Road, Beaconsfield, Buckinghamshire, HP9 2LT	
Applicant:	Fusion Residential	
Agent:	Mr R Clarke	
Date Valid Appl Recd:	17th August 2016	
Recommendation:	PER	

LOCATION PLAN – This plan is supplied only to identify the location of the site and for no other purpose whatsoever.



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SCALE : NOT TO SCALE

THE PROPOSAL:

Planning permission is sought to demolish a detached 2 storey dwelling and detached triple garage and replace it with a 2 storey building comprising 6 no. 2 bed apartments. The scheme incorporates underground car parking for 12 vehicles via an access ramp, accommodation within the basement and roof space incorporating dormer windows and first and second floor balconies. The existing vehicular access onto Penn Road is to be relocated more centrally and a new pedestrian access provided. A brick bin store and concierge building is proposed at the front of the site.

This application follows two previously refused flatted schemes on this site under application numbers 15/00916/FUL and 15/01880/FUL both of which were dismissed on appeal. The current application seeks to address the previous Inspectors objection to the proposal. The amendments include:

- Change in the overall design of the building to provide a building which has a better domestic scale and more convincing 'Arts and Craft' style.
- Revised flank elevation facing onto Penn Green with hipped roof forms and roof sloping down to ground floor level to reduce scale and bulk.
- Reduction in overall height from 9.5m to 9.1m
- Increased spacing between the building and the flank boundary onto Penn Green.
- Ramp configuration altered to allow for 'greening up' of front of site.
- Alterations to design of rear elevation and fenestration details.

LOCATION AND DESCRIPTION OF SITE:

The application site lies on the eastern side of Penn Road on a triangular shaped plot between the entrance to Penn Green, a private, gated, cul-de-sac and properties in Blyton Close. The site lies within easy walking distance of Beaconsfield New Town centre. The site currently comprises a substantially extended 2 storey detached dwelling with a detached triple garage at the front. The site is enclosed by part wall/ fencing and hedging.

The site lies within the developed area of Beaconsfield and opposite the southernmost extent of the Penn Road Residential Area of Exceptional Character. The site also lies within a 'Woodland Road' and the 'Penn Road and Ledborough Lane Area of Special Character' as designated in the South Bucks Townscape Character Study Part 2 (February 2014).

This part of Penn Road is characterised by a variety of large detached dwellings set well back from the road frontage behind mature trees and hedgerows.

RELEVANT PLANNING HISTORY:

15/00916/FUL: Detached building containing six apartments incorporating basement and roof accommodation, access ramp and associated landscaping. Single storey concierge/refuse building and alterations to front boundary wall/gates and width of vehicular access. Refused and dismissed on appeal.

15/01880/FUL: Detached building contained six apartments incorporating basements and roof accommodation, access ramp and associated landscaping. Single storey concierge/refuse building and alteration to front boundary wall/gates and width of vehicular access. Refused and dismissed on appeal.

OTHER RELEVANT PLANNING HISTORY:

- 08/00199/FUL: Redevelopment of site to provide a block containing 8x3 bed flats, basement car park. Construction of vehicular access at 1 Blyton Close. Refused and dismissed on appeal.
- 09/01065/FUL: Redevelopment of 1 Blyton Close to provide six flats, surface car parking and construction of vehicular access. Refused and dismissed on appeal.

REPRESENTATIONS AND CONSULTATIONS:**PARISH / TOWN COUNCIL COMMENTS:**

The Committee wishes to continue to object to this application on the same grounds as previously indicated, namely that it was considered to be an over-development of the plot and of an inappropriate scale. Concern was also expressed regarding the possible traffic flow issues on such a busy road.

CORRESPONDENCE:

Letters of objection have been received from 80 separate sources including a letter from the Rt. Hon Dominic Grieve QC MP and The Beaconsfield Society. The objections are summarised as follows:

- Not very different from previously refused proposals;
- Out of character with Area of Special Character;
- Access is not suitable for 6 properties;
- Excavation could result in subsidence issues;
- Sink holes in the vicinity;
- Too large for plot;
- Add to traffic congestion;
- Out of scale and size when compared to neighbouring properties;
- Plot is considerably narrow at rear;
- Insufficient garden;
- Breach of policies;
- Loss of privacy to neighbouring properties;
- Set a precedent;
- Adverse impact on character of Penn Road;
- Noise pollution;
- Pressure on infrastructure services;
- Breach of Townscape Character study;
- Lack of screening;
- History of refusing flats in the vicinity;
- Excessively large balconies;
- Large amount of excavation;
- Gross overdevelopment;
- Basement extends close to Penn Green where subsidence took place;
- No visitor spaces or space for deliveries;
- Unduly prominent and over dominant;
- No other flats in South Bucks area other than Kinellan Court;
- Harms character of the RAEC;
- Cramped development;
- Increase in CO2 emissions;
- Construction workers/traffic would create congestion and disruption and pose a hazard to pedestrians;

- Taller than surrounding properties;
- Poor style and design;
- Misleading information in application - existing shed, greenhouses and other structures included in calculations;
- Scheme already rejected twice on appeal;
- Is steep ramped access technically feasible?;
- Loss of light and privacy to number 10 Blyton Close;
- Fire and emergency access is questioned;
- Impact on trees along northern boundary including Poplars and a TPO Copper Beech;
- Concierge building is inappropriate;
- Excessive hardstanding, ramping and retaining walls;
- Condition should be imposed to restrict delivery and construction traffic at certain times to avoid safety risks for school community;
- Very small amenity area at odds with locality;
- Southern elevation would be hugely dominant compared to the existing one;
- Many windows are proposed in the southern elevation;
- Site lies adjacent to RAEC and within the Penn Road Area of Special Character;
- Dimensions have been misrepresented by the developer;
- Threatens character of Woodlands Road;
- Widening of access and pedestrian access would open up views of site;
- Reads as a block of flats;
- Erodes character and appearance of the area;
- Concierge building lies within root protection area of TPO tree.;
- No turning circle for delivery vehicles etc.;
- Parking space 1 & 2 are inaccessible when others are occupied;
- Plot too small and triangular in shape;
- Lack of garden will result in problems with surface water run-off;
- Building will be much larger than existing dwelling;
- Light pollution;
- Risk of damage to neighbouring homes;
- Ground is unstable and dangerous due to water escape from number 40 a couple of years ago;
- Scale is disproportionate to location and size of the plot.

SPECIALIST ADVICE:

Arboriculturist:

No objection subject to conditions.

Building Control:

The proposed design is satisfactory with regard to the requirements for Fire Brigade Access. Disabled access and facilities appear adequate. Upon review of the detail of basement design requested more information - this information is awaited at the time of drafting Committee report.

Bucks County Council (Highways):

No objection subject to conditions and informatives.

Classification: OFFICIAL

Housing Section:

'I can confirm that the Unilateral Undertaking submitted with the application includes figures for the affordable Housing Contribution and the Affordable Housing Contribution Fee which were agreed for the two previous applications.'

Waste Officer:

No objection - recommend gate code features an active trade button in operation from 7am to 5pm on day of collection.

Ecology Officer:

No objection.

Bucks County (Education):

There is no contribution requirement towards education on this scheme.

ISSUES AND POLICY CONSIDERATIONS:

RELEVANT POLICIES:

National Policy
National Planning Policy Framework
National Planning Policy Guidance

Development Plan:

South Bucks District Local Plan (adopted March 1999) (Saved Policies) - EP3, EP4, EP5, L10, H9, H10, TR5 and TR7

South Bucks Local Development Framework Core Strategy (adopted February 2011) - CP1, CP2, CP3, CP6, CP8 and CP12

Other Material considerations:

South Bucks Townscape Character Study Part 2.
Residential Design Guide SPD.
Affordable Housing SPD.

1.0 KEY POLICY ASSESSMENT

1.1 The application has been accompanied by a Design and Access Statement, Ecology Report, Affordable Housing Statement, Arboricultural Report and Method Statement and basement and Drainage Construction Method Statement.

2.0 VISUAL IMPACT/IMPACT ON LOCALITY:

2.1 The NPPF reaffirms that planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise (para 11) and reinforces the importance of securing high quality and inclusive design (paras 56 and 57). The site lies within a sustainable location and outside the RAEC and both appeals determined that there is no 'in principle' objection to the redevelopment of the site for

Classification: OFFICIAL

flats. At paragraph 15 of the latest appeal decision the Inspector writes 'It is therefore my view that the replacement of a single family dwelling by an apartment block should not, in itself, be objectionable in locations outside an RAEC'. However the key issue in this case remains the impact of the proposal on the character and appearance of the site and the locality in general.

2.2 The application site is situated within the 'Penn Road and Ledborough Lane Area of Special Character' and 'Woodlands Road' as designated in the South Bucks Townscape Character Study Part 2 (February 2014) and close to the designated Residential Area of Exceptional Character. The area is defined primarily by large houses set well back on large plots set amongst mature trees and planting. The landscape is the dominating characteristic with most properties hidden from view. The Areas of Special Character have been identified as part of the townscape assessment and have distinctive characteristics that make them different from any of the identified typologies. Due to the distinctiveness of these areas they are particularly vulnerable to insensitive development. The character of 'Woodland Roads' can be threatened or diluted and in particular it states that '2 storey buildings with a large area of additional accommodation in the roof and/or undercroft parking appear out of scale with the surroundings.'

2.3 The existing dwelling fills almost the entire width of the plot and has a ridge height of between 7.5 and 8.4 metres. The depth of the dwelling adjacent to the southern boundary is approximately 7 metres. It is set well back from the plot frontage by approximately 17 metres. A large detached triple garage with dormer windows is situated in front of the property. The site is enclosed by a wall/ railings, fencing and hedging but lacks the mature landscaping which is prevalent along most of Penn Road. The application site is on an exposed corner plot adjacent to the entrance to Penn Green and views of the site and the existing dwelling are readily visible from Penn Road and Penn Green.

2.4 This current application seeks to address the issues raised by the latest appeal inspector. In paragraph 18 he wrote:

2.5 *'I remain unhappy with the mass and design of the rear elevation. Notwithstanding the changes made to the previous proposal, it presents a bulky form with an excessive proportion of the elevation covered with windows. The reduction in size of the roof terraces has done little to overcome the issues identified by my colleague in dismissing the previous appeal and I am sceptical that the rear of the proposed building would bear even a notional reflection of an 'Arts and Crafts' style. Furthermore, the rear elevation clearly breaches the advice of the Character Study in respect of 'Woodland Roads' that '2 storey buildings with a large area of additional accommodation in the roof and/or undercroft parking appear out of scale with the surroundings.'*

2.6 *At paragraph 19 the inspector wrote: 'The appellant has sought to persuade me that the bulk of the proposed building is actually less than that of Northfield. I concede that the proportion of the site covered may be slightly smaller and not radically greater than other buildings in the area. However, it is the bulk and massing of the building that seems to me to be more significant than its footprint and I consider that it is these factors that point to the proposed development being too large for its site. That conflict is most obvious when the rear elevation is viewed. Because the appeal plot is exposed to views from Penn Green and Blyton Close, the form and design of the rear elevation of any new property is more sensitive than for some sites in the area.'*

2.7 At paragraph 20 the inspector states 'I am also not completely convinced by the changes made to the flank elevations, especially the north elevation that would present a substantial area of blank brickwork. I accept that this elevation is probably less sensitive than that which faces Penn Green to the south and that this would ensure no material

harm to the living conditions of the occupants of the adjacent dwelling. However, it reinforces my view that the mass of the proposed building is too bulky.'

2.8 He continues at paragraph 21 'I am less concerned about the access ramp..I consider that the views of the ramp from Penn Road would be little more than glimpses through the vehicular entrance, sufficiently limited as to mask its form and purpose.'

2.9 The inspector concluded that 'whilst there can be no objection in principle to the redevelopment of Northfield or its replacement by an apartment block and despite the design changes made by the appellants since the previous proposal, the proposed development simply remains too large and too bulky for the site.'

2.10 The proposed building has been re-designed in a more convincing 'Arts and Craft' style. In comparison with the previous appeal scheme under application number 15/01880/FUL the width of the current proposal has been reduced from 23.3m to 21.3m, the overall height has been reduced from 9.4m to 9.1m, the depth of the flank elevation immediately adjacent to Penn Green has been reduced from 11m to 9m and the distance from Penn Green has been increased from between 2.4 and 5.5m to 3.4 and 6m. The overall depth, bulk and massing of the building fronting Penn Green has been reduced by introducing hipped roofs and the roof slopes down to ground floor level.

2.11 The building has a basement which is served by a vehicle ramp and has parking for 12 cars. The ramp has been designed so that it curves round at the southern side of the site, keeping the main area in front of the building level. There is also space to provide new landscaping including tree planting to the front and side which should help to enhance the appearance of the site. It is considered that the ramp would not be readily visible from outside the site and would therefore have a negligible impact on the visual impact of the street scene. The previous Inspector also indicated that he was not concerned about the appearance of the ramped access.

2.12 The rear elevation has a more domestic scale than the previous appeal schemes. The first floor balconies would be set behind the rear bay windows and the second floor dormer window is reduced in size and the balcony inset. The basement accommodation has been designed so that it will not be directly visible from outside of the site.

2.13 The north flank elevation has been slightly reduced in mass and bulk and provides greater fenestration detail in an attempt to address the Inspectors previous comments. This elevation would not be readily apparent from the streetscene given the existence of some tree screening.

2.14 On balance it is considered that the revised proposal satisfactorily addresses the concerns of the latest Inspector in terms of bulk, mass, design and being too large for the site. It is considered that the revised proposal would sit reasonably comfortably within the plot and sufficient amenity space would be retained. Whilst the proposed building would appear more visually prominent than the existing dwelling on this corner plot it is not considered that the revised proposal would appear unduly prominent or obtrusive when viewed from Penn Green and Penn Road. The revised proposal would have a scale more in keeping with a single detached dwelling which is characteristic of the locality and it is not considered that the revised proposal would have an adverse impact on the character and appearance of the site itself or the locality in general.

3.0 NEIGHBOUR IMPACT:

3.1 It is necessary to consider the proposals impact on the living conditions of the neighbouring properties.

3.2 The revised building would be sited in a similar position to the previous appeal scheme and sited 11.5 metres from the dwelling at number 10 Blyton Close. The north flank boundary is fairly well screened by trees and hedging and as before given the distance which would be maintained it is not considered that the proposed development would have an unacceptable impact in terms of light and outlook from number 10 Blyton Close. Three first floor windows serving a study, bathroom and bedroom are proposed in the flank elevation facing towards number 10. The drawings have been amended to replace the restricted openers with fixed, obscure glazing below a height of 1.7m above finished floor level with top hung openers to prevent any overlooking or loss of privacy to number 10 Blyton Close. In addition fixed, obscure glazing is proposed in the rear bay window facing towards number 10 Blyton Close and two high level, obscure glazed roof lights are also proposed. Subject to appropriately worded conditions it is not considered that these windows would result in an unacceptable level of overlooking and loss of privacy to number 10 Blyton Close. The first and second floor rear balconies would be set behind the rear bay windows and gable roofs and would not introduce any unacceptable level of overlooking and loss of privacy to 10 Blyton Close.

3.3 The residential properties to the south and east of the site front onto Penn Green. A playground at High March School lies to the south of the site on the opposite side of the access drive 'Penn Green'. Given the distances which would be maintained it is not considered that the proposed building would have an adverse impact on the living conditions of these properties in terms of light and outlook. Two dormer windows are proposed in the southern elevation one of which would serve a bathroom and would be obscure glazed, the other would serve a bedroom. In addition 3 roof lights are proposed which would serve a kitchen and living room. The access drive serving Penn Green separates the proposed building from the playground at High March School and it is not considered that these windows would introduce an unacceptable level of overlooking and loss of privacy to the playground or the other properties in Penn Green. The balconies would be inset behind the rear bay windows and gable roof projections and again would not introduce any unacceptable level of overlooking or loss of privacy to these properties.

3.4 It is not considered that the proposal would have an adverse impact on the living conditions of any other neighbouring properties including other the properties in Blyton Close or on the opposite (western) side of Penn Road.

4.0 TREES/LANDSCAPING:

4.1 The application has been accompanied by an Arboricultural Impact Assessment and Method Statement dated 19th July 2016.

4.2 As before the proposal does not present any greater tree constraints than the previous applications. It involves the removal of 2 trees to the rear of the existing dwelling and the tree officer has confirmed that there are no significant trees on the site. There is however a copper Beech tree situated at the front of the neighbouring property, number 10 Blyton Close which is protected by TPO number 11, 2000 and two mature Poplar trees are also noted along the southern boundary of number 10. Both these trees are situated within 1m of the existing dwelling at number 40 Penn Road.

4.3 The tree officer agrees with the previous assessment of the trees within the site and the assessment of the trees within the grounds of 10 Blyton Close especially in regards to the protected beech tree and the two (pollarded) poplar trees referred to as G3. The previous tree officer confirmed that the Poplar trees do not merit a TPO, but should be treated as a constraint to the proposed development and whilst they are not highly visible from the public domain are considered to be of moderate value and contribute positively to the local landscape.

4.4 The current Arboricultural Report addresses the impact upon the trees situated within neighbouring number 10 Blyton Close. The proposed bin store would be constructed using a shallow concrete raft with minimal excavation and would have no adverse impact on the adjoining trees. The Arboricultural Report also addresses the below ground impact upon the Poplar trees. The replacement building would offset the boundary by about 1.8m and the remains of the existing foundations in this area will be left in situ. The risk of root severance during demolition would therefore be significantly reduced.

4.5 The tree officer has reviewed the current Arboricultural Impact Assessment and Method Statement. He has requested that additional arboricultural supervision is required during the demolition phase next to the Poplar trees (G3) to ensure that the existing foundations are retained to minimise root damage and during the piling operation when working near G3 and a revised Method Statement has been submitted to address this. In addition a typo at paragraph 5.5.2 of the AIA has also been addressed.

4.6 The tree officer has raised no objection in arboricultural terms subject to the suggested amendment to the Method Statement and subject to the imposition of conditions.

4.7 A total of 9 new trees are proposed to be planted at the front and side of the site to enhance the Woodland Road townscape. The tree officer has commented that he considers these specimen trees should be at least 20-25cm semi-mature stock as part of an approved landscape scheme and this aspect can be dealt with by condition.

5.0 HIGHWAY /PARKING:

5.1 The proposed vehicular access has been slightly relocated to a more central position and the configuration of the access ramp revised since the last submission. The basement car parking has also been slightly revised, but 12 spaces are still proposed. The Highway Authority has raised no objection to the proposed development in highway terms subject to the imposition of conditions. Their previous comments are repeated as follows:

5.2 *' I am aware that several letters of representation have been made, which have raised concerns over an increase in traffic movements along Penn Road, particularly at peak times, as a result of this development. Having assessed the Trip Rate Information Computer System (TRICS database), the increase in traffic movements over and above that of the existing dwelling would be expected to be approximately 2 additional movements during the am and pm peak hours, which would not be considered a material impact on the network.*

5.3 *It is also noted that the site access is within a 40mph speed limit, which changes to a 30 mph limit fronting the site and to the south. Commensurate with a 40 mph speed limit, visibility splays of 2.4m x 79m in both directions are required which I can confirm are achievable in this location.*

5.4 *As Penn Road is a classified highway and is in close proximity to a school, the Highway Authority would not want the highway network to be impacted by the construction of the development. Therefore I would request a Construction Management Plan is secured by condition to include provision within the site for all site operative vehicles, wheel washing facilities and for hours of delivery to be restricted between 10am - 3pm only.*

5.5 *Mindful of the above, I have no objection to the proposed development in highway terms subject to the following conditions and informatives'*

5.6 The proposed development provides 12 basement car parking spaces which would accord with the adopted parking standard for 6no. 2 bed units. No objection is therefore raised to the proposal on parking grounds.

6.0 AFFORDABLE HOUSING PROVISION:

6.1 The proposed building has a floor area in excess of 1,000 sq.m and therefore affordable housing provision in accordance with the NPPG is required to be provided. It has previously been accepted that it is not a suitable site for on-site affordable housing given the high values and high service charges associated with a development in this location. In this case a commuted sum payment in-lieu of on-site provision would be appropriate and the applicant proposes to make a financial contribution in full accordance with the Affordable Housing SPD. The application has been accompanied by a unilateral undertaking to enable the drafting of a new agreement.

7.0 ECOLOGY & PROTECTED SPECIES:

7.1 Conservation and enhancement of biodiversity is a material planning consideration and the application has been accompanied by an ecology and protected species survey report. No evidence of bats has been found on site. The ecology officer has raised no objection to the application subject to the recommendations set out in report relating to the timing of the demolition of the existing buildings to avoid bat/breeding activity season, the avoidance of external lighting and the clearance of vegetation to avoid the bird breeding period. Biodiversity net gain should also be obtained by an appropriate landscape scheme to include native species, bird and bat boxes and appropriate fencing.

7.2 OTHER MATTERS:

7.3 The Waste Projects Officer has confirmed that the brick bin store at the front of the site is acceptable. It is not considered that the proposal would put an unacceptable pressure on local infrastructure and services. Surface water run-off would need to be adequately addressed in a drainage scheme for the site and this could adequately be covered by condition. The issue of heave and subsidence from the excavation works is a construction issue which would be covered by Building Regulations however details of the basement construction have been submitted and considered by the Building Control Section who have asked for more information.

CONCLUSION:

It is considered that a fair and reasonable balance would be struck between the interests of the community and the human rights of the individuals concerned if planning permission were to be granted in this instance.

Given the level of interest in this proposal it is considered that value would be added if MEMBERS were to undertake a SITE VISIT prior to the determination of this application.

RECOMMENDATION

SUBJECT TO 1) THE COMPLETION OF A UNILATERAL AGREEMENT RELATING TO AFFORDABLE HOUSING PROVISION AND 2) THE RECEIPT OF THE ADDITIONAL BASEMENT CONSTRUCTION DETAILS AND THE FINAL VIEWS OF THE BUILDING CONTROL SECTION ON THOSE DETAILS.

Full Planning Permission

Conditions & Reasons:

1. NS01 Standard Time Limit - Full Application
2. NMS09A Development To Accord With Application Drawings
3. **NM01 Schedule or Sample of Materials**
4. **NM02 Surface Materials**

5. The first floor windows in the northern elevation of the building hereby permitted shall be permanently fixed; non-opening design below a height of 1.7m above finished floor level and shall be fitted and permanently maintained with obscure glass.

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

6. The glazing in the rear bay window in the northern elevation of the building shall be of a permanently fixed, non-opening design and shall be fitted and permanently maintained with obscure glass.

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

7. The roof lights in the northern elevation of the building hereby permitted shall be of a high level type with the cill height a minimum of 1.65m above floor level and shall be permanently maintained with obscure glass.

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

8. **NT01 Landscaping Scheme to be Submitted**
9. NT02 First Planting Season
10. NT06 Retention of Existing Landscaping Features -16 FPR SP1 Rev B
11. **NT08 Walls & Fencing details - building**
12. NT18 Completion in accordance with Method Statement

13. No other part of the development shall be occupied until the new means of access has been altered in accordance with the approved drawing and constructed in accordance with Buckinghamshire County Council's guide note 'Private Vehicular Access Within Highway Limits' 2013. For the avoidance of doubt the applicants will be required to enter into a S184 Small Works Agreement with the highway Authority in order to comply with the requirements of this condition.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.(Policy TR5 of the South Bucks District Local Plan (adopted March 1999) refers.)

14. NH46 Parking Full

15. Prior to the commencement of the development a Construction Management Plan shall be submitted to and approved in writing by the District Planning Authority. The Plan shall include provision within the site to accommodate all site operatives', visitors' and construction vehicles loading, off-loading, parking and turning; hours of delivery; and precautions to prevent the deposit of mud

and similar debris on the adjacent public highways. Thereafter the Construction Management Plan shall be implemented as approved.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.(Policy TR5 of the South Bucks District Local Plan (adopted March 1999) refers.)

16. The development shall be carried out in accordance with the Mitigation and Enhancement Measures set out in section 5.2 of the Ecology & Protected Species Survey Report.

Reason: To conserve, enhance and provide net gain in local biodiversity. (Core Policy CP9 of the South Bucks Core Strategy (adopted February 2011) refers.)

17. Prior to any development commencing on site a drainage strategy to include details of surface water run-off shall be submitted to and approved in writing by the District planning Authority.

Reason: To ensure that adequate drainage is provided in order to prevent any issues with surface water run-off. (Policy CP13 of the South Bucks Core Strategy (adopted February 2011) refers.)

Informatives:-

1. **IN02** Details Required Pursuant to Conditions - 3,4,8,11,15 and 17
 2. **IN10** Legal Agreement District Council - a commuted sum payment towards affordable housing
 3. **IN35** Considerate Constructor
 4. **IH11** Surface Water Drainage
 5. **IH12** Use of soakaways
6. 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 Small Works 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 3 weeks is required to process the agreement following receipt by the Highway Authority of a written request. Please contact Development Management at the following address for information:
- Highways development Management
6th Floor, County hall,
Walton Street,
Aylesbury,
Bucks,
HP20 1UY.
Telephone 0845 230 2882
7. The applicant is advised that the Waste Efficiency Officer has recommended that the gate code features an active trade button in operation from 7am to 5pm on the day of collection.
 8. The landscape scheme to be submitted in compliance with condition number 8 should include native species, bird and bat boxes and appropriate fencing to provide some biodiversity gain. In addition the specimen trees should be at least 20-25cm semi-mature stock.

LIST OF APPROVED PLANS

Plan number/name	Date received by District Planning Authority
16 FPR SL1 Rev B	17.08.2016
16 FPR SP1 Rev B	17.08.2016
16 FPR SP2 Rev B	17.08.2016
16 FPR P1 Rev C	11.10.2016
16 FPR P2 Rev B	17.08.2016
16 FPR E1 Rev C	11.10.2016
16 FPR E2 Rev C	11.10.2016
16 FPR E3 Rev B	17.08.2016

14 October 2016

Head of Sustainable Development

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/00984/FUL	Beaconsfield Town Council	Mr J Hunt C/o Mr J Collinge	Crazy Bear Hotel 73 Wycombe End Beaconsfield Buckinghamshire HP9 1LX	Retention of existing single storey building.	Application refused	26.09.16
16/00985/LBC	Beaconsfield Town Council	Mr J Hunt C/o Mr J Collinge	Crazy Bear Hotel 73 Wycombe End Beaconsfield Buckinghamshire HP9 1LX	Listed Building application for: Retention of existing single storey building.	Application refused	26.09.16
16/01009/RVC	Beaconsfield Town Council	Mr & Mrs H Mason	6 Woodside Road Beaconsfield Buckinghamshire HP9 1JG	Variation of Condition 4 of Planning Permission 14/00761/FUL to: reduce extent of obscure glazing on first floor windows on side elevation of extension.	Application refused	23.09.16
16/01010/FUL	Beaconsfield Town Council	Mr & Mrs H Mason	6 Woodside Road Beaconsfield Buckinghamshire HP9 1JG	Detached double garage and re-location of vehicular access. Extension to roof of existing dwelling incorporating side dormers and rear dormer extension.	Application Permitted	23.09.16
16/01336/FUL	Beaconsfield Town Council	Mr R Casey C/o Mr F Kirkcaldy	17 Caledon Road Beaconsfield Buckinghamshire HP9 2BX	Replacement garage (Amendment to planning permission 16/00092/FUL).	Application Permitted	14.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01345/FUL	Beaconsfield Town Council	Mr Simon Wanner-Halder C/o Mr Jonathan Stackhouse	The Field Barn Wooburn Green Lane Holtspur Beaconsfield Buckinghamshire HP9 1XE	Replacement agricultural building.	Application Permitted	14.09.16
16/01347/FUL	Beaconsfield Town Council	Mr Derek Lovelock C/o Mr Nick Evans	Oldfields Farm Amersham Road Beaconsfield Buckinghamshire HP9 2UG	Reconstruction of old site access.	Application Permitted	14.09.16
16/01318/ADV	Beaconsfield Town Council	Mr Ian Dale-Lace	The Chiltern Florists 6A Station Parade Penn Road Beaconsfield Buckinghamshire HP9 2PB	One non-illuminated wall sign and one non-illuminated fascia sign.	Part Consent/Part Refusal (See decision)	16.09.16
16/01350/FUL	Beaconsfield Town Council	Rivergate Homes Limited C/o Mr D Gibson	Land Rear Of 3 And 5 Amersham Road Beaconsfield Buckinghamshire	Detached dwelling.	Application Permitted	16.09.16
16/01363/LBC	Beaconsfield Town Council	Hon. Jenefer Farncombe C/o Richard Oxley	Hall Barn Windsor End Beaconsfield Buckinghamshire HP9 2SG	Listed Building Application for recovering of roof to principal building to include new lead roof and integration of insulation.	Application Permitted	16.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01369/RVC	Beaconsfield Town Council	Mr & Mrs P Tiley C/o Mr David Webb	Land To Rear Of 7 And 9 Amersham Road Beaconsfield Buckinghamshire HP9 2HA	Variation of Condition 2 of Planning Permission 16/00348/FUL to allow single storey rear sections to each unit increased in size. Position and size of some doors and windows revised. Position of rear boundary fence with 7 Amersham Road revised.	Application Permitted	21.09.16
16/01385/FUL	Beaconsfield Town Council	Mr J Leo C/o Martin Crook	15 - 21 Gregories Road Beaconsfield Buckinghamshire HP9 1HH	Change of use from motor vehicle showroom, repairs and maintenance and retail showroom(Sui Generis use and A1 use) to restaurant (Use Class A3).	Application refused	30.09.16
16/01398/FUL	Beaconsfield Town Council	Mr & Mrs Whittick C/o Mr James Pask	Inglewood 6 Curzon Avenue Beaconsfield Buckinghamshire HP9 2NN	Alterations to fenestration (amendment to planning permission 14/01256/FUL).	Application Permitted	20.09.16
16/01386/FUL	Beaconsfield Town Council	Mr R Taylor C/o Mr Warren Joseph	4 Beechwood Road Beaconsfield Buckinghamshire HP9 1HP	Replacement dwellinghouse with detached outbuilding and erection of entrance gate and piers.	Application Permitted	23.09.16
16/01387/FUL	Beaconsfield Town Council	Ms Karen Garner C/o Mr Phil Desmond	9 Seagrave Road Beaconsfield Buckinghamshire HP9 1SU	Single storey front and rear extensions.	Application Permitted	23.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01420/FUL	Beaconsfield Town Council	Mr & Mrs Heaven C/o MDP	32 The Spinney Beaconsfield Buckinghamshire HP9 1SB	Single storey front extension incorporating porch. (Amendment to planning permission 16/00257/FUL).	Application Permitted	27.09.16
16/01439/FUL	Beaconsfield Town Council	Mr Jackson C/o Mr John Molloy	59 Old Town Close Beaconsfield Buckinghamshire HP9 1LF	Loft conversion incorporating rooflights.	Application Permitted	27.09.16
16/01461/FUL	Beaconsfield Town Council	Oakeve Ltd C/o Mr B Hall	Laurel View 64 Burkes Road Beaconsfield Buckinghamshire HP9 1EW	Replacement dwelling and repositioning of vehicular access.	Application Permitted	30.09.16
16/01441/FUL	Beaconsfield Town Council	Mr Jackson C/o Mr John Molloy	59 Old Town Close Beaconsfield Buckinghamshire HP9 1LF	Loft conversion incorporating rear dormer.	Application refused	30.09.16
16/01471/TPO	Beaconsfield Town Council	Mr H Servaes C/o Mr S Hawkins	Four Winds 48 Burkes Road Beaconsfield Buckinghamshire HP9 1PN	(T1) Ash - Fell (SBDC TPO No. 19, 1995).	Application Permitted	16.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01452/TPO	Beaconsfield Town Council	Kym Allen C/o Christopher Reeves	1 Queen Elizabeth Crescent Beaconsfield Buckinghamshire HP9 1BX	T1 - Oak - Crown thinning not to exceed 30%	Application Permitted	19.09.16
16/01427/FUL	Beaconsfield Town Council	Mr R Shukla	1 Walkwood Rise Beaconsfield Buckinghamshire HP9 1TX	Change of Use of land to residential and erection of boundary fence.	Application refused	05.10.16
16/01484/ADV	Beaconsfield Town Council	Miss J Lizak C/o Mr B Cunningham	Beacon House Warwick Road Beaconsfield Buckinghamshire HP9 2PE	Internally illuminated fascia sign.	Application Permitted	05.10.16
16/01489/TPO	Beaconsfield Town Council	Mr Mitchell C/o Mrs Jill Macbeth	22 Burkes Road Beaconsfield Buckinghamshire HP9 1PF	T1 Oak - fell. T2 Oak -Fell (TPO/SBD/9108).	Application Permitted	30.09.16
16/01470/FUL	Beaconsfield Town Council	Mrs Way C/o Mr R Hill	55 The Spinney Beaconsfield Buckinghamshire HP9 1SA	Front porch.	Application Permitted	06.10.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01459/TEMP	Beaconsfield Town Council	Mr Andrew Bain	Brindley House 4 Burkes Road Beaconsfield Buckinghamshire HP9 1PB	Temporary siting of a Portakabin in Alton car park to the rear of Brindley House.	Application Permitted	27.09.16
16/01409/CLOP ED	Beaconsfield Town Council	Mr & Mrs Terrell C/o Mr B Gilford	7 Lord Reith Place Beaconsfield Buckinghamshire HP9 2GE	Certificate of Lawfulness application for a single storey rear extension.	Certificate of Lawful Use granted	10.10.16
16/01457/FUL	Beaconsfield Town Council	Mr & Mrs Reynolds C/o Mr P Wright	17 Waller Road Beaconsfield Buckinghamshire HP9 2HD	First floor rear extension.	Application Permitted	06.10.16
16/01519/FUL	Beaconsfield Town Council	Burnham Nominees Limited C/o Malcolm Cook	54 London End Beaconsfield Buckinghamshire HP9 2JH	Single storey rear extension.	Application Permitted	06.10.16
16/01520/LBC	Beaconsfield Town Council	Burnham Nominees Limited C/o Malcolm Cook	54 London End Beaconsfield Buckinghamshire HP9 2JH	Listed Building Application for: Demolition of single storey timber outbuilding. Erection of single storey rear extension.	Application Permitted	06.10.16
16/01515/FUL	Beaconsfield Town Council	Mr Christopher Beanland	18 Fernhurst Close Beaconsfield Buckinghamshire HP9 1AN	Conversion of part garage to habitable accommodation.	Application Permitted	10.10.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01536/TPO	Beaconsfield Town Council	Mrs S Relph	1 The Birches Gregories Road Beaconsfield Buckinghamshire HP9 1HU	(G8) Beeches - 2m branch clearance from neighbours garage roof (SBDC TPO No. 12, 2002).	Application Permitted	30.09.16
16/01550/TPO	Beaconsfield Town Council	Mr P Gunn	9 Redwood Place Beaconsfield Buckinghamshire HP9 1RP	(T1) Beech x 2: 2-3 metre branch clearance from building and (T2) Horse Chestnut: removal of infected limb and crown rebalance (SBDC TPO No. 10, 1991).	Application Permitted	21.09.16
16/01584/TPO	Beaconsfield Town Council	Mrs D Gill-Carey C/o Mr P Morris	10 Seeleys Road Beaconsfield Buckinghamshire HP9 1BY	(T1)Oak - Removal of lowest branch over 2 Somerford Place (SBDC TPO No. 04, 1994).	Application Permitted	07.10.16
16/01612/NMA	Beaconsfield Town Council	Mrs L Wattret C/o Mr M Waring	28 Burkes Road Beaconsfield Buckinghamshire HP9 1PF	Non-material amendment to planning permission 11/00394/FUL for change of height of eaves level at rear of two storey extension.	Application Permitted	22.09.16
16/01646/NMA	Beaconsfield Town Council	Mr _ Mrs Freer C/o Mr P Ruff	42 Horseshoe Crescent Beaconsfield Buckinghamshire HP9 1LL	Non-material amendment to planning permission 13/01955/FUL: To amend carport profile.	Refusal of Lawful Use	06.10.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01671/ADJ	Beaconsfield Town Council	Chiltern District Council	Out Of Area Red Cottage Long Bottom Lane Seer Green Beaconsfield Buckinghamshire HP9 2UL	Outline application for demolition of existing cottage, erection of 2 No. blocks comprising 24 No. two-bed apartments with associated basement level parking, utilisation of only one existing access point, removal of 2 trees (not protected by TPO), relocation of 3 trees (protected by TPO No.6 of 2011) and creation of communal amenity space (means of access only to be considered at this stage).	Objections	29.09.16
16/01755/ADJ	Beaconsfield Town Council	Chiltern District Council	Out Of Area Holderness House Penn Road Knotty Green Beaconsfield Buckinghamshire HP9 2LW	Two front dormer windows, roof lights to side and rear elevations to facilitate accommodation in roofspace (Chiltern Ref: CH/2016/1683/FA).	No comment	03.10.16
16/01313/FUL	Burnham Parish Council	Mr Terry Daniel C/o Mr Rob Ellis	Little Place Green Lane Burnham Buckinghamshire SL1 8QA	Change of use of existing garage/stables to dwelling. Alterations to fenestration, insertion of two dormer windows and ground floor infill extension to front stables.	Application refused	07.10.16
16/01175/JNOT	Burnham Parish Council	Mr B Hancock C/o Mr J Thorne	3 Lincoln Hatch Lane Burnham Buckinghamshire SL1 7HA	Notification under The Town and Country Planning (General Permitted Development) Order 2015, Part 3 of Schedule 2 Class O for: Change of use from office (Class B1 (a)) to residential (Class C3) to form one ground floor apartment.	Prior approval is not required	19.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01406/RVC	Burnham Parish Council	Mr R Newman C/o Martin Crook	Taormina Nashdom Lane Burnham Buckinghamshire SL1 8NJ	Removal of Condition 3 of Planning Permission ER/992/52: to allow removal of agricultural occupancy restriction.	Application Permitted	20.09.16
16/01438/FUL	Burnham Parish Council	Mrs L Norcott	89 Gore Road Burnham Buckinghamshire SL1 7DD	Two storey rear extension.	Application Permitted	27.09.16
16/01443/FUL	Burnham Parish Council	Mr C Comer	Land To Rear Of 15 Huntercombe Lane North Burnham Buckinghamshire	Construction of a detached chalet bungalow with vehicular access.	Application refused	28.09.16
16/01447/FUL	Burnham Parish Council	Mr N Nanda C/o Mr T Millin	765 Bath Road Burnham Buckinghamshire SL6 0PR	Two storey front extension, front porch, 1 and 1/2 storey side extension incorporating integral garage and part single/part two storey rear extension.	Application refused	28.09.16
16/01464/FUL	Burnham Parish Council	Amandip Kular	48 Chiltern Road Burnham Buckinghamshire SL1 7NH	Part retrospective application for construction of vehicular access and associated hardstanding.	Application Permitted	03.10.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01465/FUL	Burnham Parish Council	Mr Mike Bates C/o Mr Tim Isaac	12 Oxford Avenue Burnham Buckinghamshire SL1 8HR	Hip to gable roof extension including rear dormer window and single storey rear extension	Application Permitted	30.09.16
16/01469/CLUED	Burnham Parish Council	Mr T Whitehorn C/o Mr R Chambers	35 Tockley Road Burnham Buckinghamshire SL1 7DQ	Application for a Certificate of Lawfulness for existing: The erection of an outbuilding and its use as an independent dwellinghouse.	Certificate of Lawful Use granted	03.10.16
16/01498/CLOPED	Burnham Parish Council	Mr H Reay	Acorns Hawthorn Lane Burnham Buckinghamshire SL2 3TA	Application for a Certificate of Lawfulness for proposed: Outbuilding.	Application refused	06.10.16
16/01502/FUL	Burnham Parish Council	See Company See Company See Company C/o Mr Jake Collinge	Land Rear Of 20 & 22 Lincoln Hatch Lane Burnham Buckinghamshire SL1 7HD	Two detached dwellings incorporating parking and amenity spaces and access.	Application Permitted	06.10.16
16/01513/FUL	Burnham Parish Council	Elmbridge Estates C/o Jane Carter	Eton Place 64 High Street Burnham Buckinghamshire SL1 7JT	Replacement of the metal doors with a window, erection of railings to create bin enclosure, entrance and amenity area. Enclose two undercroft parking spaces to create office accommodation.	Application Permitted	10.10.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01525/RVC	Burnham Parish Council	Mr Brian Marshall	27 Pink Lane Burnham Buckinghamshire SL1 8JP	Variation of Conditions 2 and 3 of Planning Permission 15/01755/FUL to allow for increased width and alteration to external surface to allow for cladding.	Application Permitted	10.10.16
16/01743/TPO	Burnham Parish Council	Mr Edward O'Neill	The Crown Inn Crown Lane Farnham Royal Buckinghamshire SL2 3SQ	T1 Wisteria - Crown and thin (SBDC TPO 5, 1995)	Consent not required	30.09.16
16/01762/CC	Burnham Parish Council	Catherine Kelham	Lent Rise Combined School Coulson Way Burnham Buckinghamshire SL1 7NP	Discharge of condition 3 (landscaping) for proposed extensions and internal alterations expand hall and classroom and provide new servery, classroom, staff room and reception area to accommodate bulge class. (Bucks CC ref AOC/0005/1604)	No Objection	05.10.16
16/01763/CC	Burnham Parish Council	Catherine Kelham	Lent Rise Combined School Coulson Way Burnham Buckinghamshire SL1 7NP	Discharge of condition 3 (materials) for proposed extensions and internal alterations expand hall and classroom and provide new servery, classroom, staff room and reception area to accommodate bulge class. (Bucks CC ref: AOC/0005/1603)	No Objection	05.10.16
15/00085/FUL	Denham Parish Council	Mr J O'Hara C/o Miss J Robertson	Land Adjacent To 8 Field Road Denham Buckinghamshire UB9 4HL	Agricultural storage building.	Application Permitted	16.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/00484/FUL	Denham Parish Council	Mr A Hyndman	Thames Water Works Amersham Road Gerrards Cross Buckinghamshire SL9 7BQ	Generator compound	Application Permitted	14.09.16
16/01156/FUL	Denham Parish Council	Mrs A May C/o R P Architectural Services	83 Willow Crescent West New Denham Buckinghamshire UB9 4AU	Part single storey/part first floor side extension.	Application Permitted	30.09.16
16/01389/FUL	Denham Parish Council	Mr S Shamil C/o Mr S Mann	Rosecroft Bakers Wood Denham Buckinghamshire UB9 4LG	Roof extension incorporating rear dormer.	Application Permitted	30.09.16
16/01381/FUL	Denham Parish Council	Ms J Clark C/o Mrs S Wilbond	Willowbank Esso Service Station Oxford Road New Denham Denham Buckinghamshire UB9 4DA	Retention of ATM structure.	Application Permitted	22.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01382/ADV	Denham Parish Council	Ms J Clark C/o Mrs S Wilbond	Willowbank Esso Service Station Oxford Road New Denham Denham Buckinghamshire UB9 4DA	Internally illuminated ATM surround.	Application Permitted	22.09.16
16/01424/CLOP ED	Denham Parish Council	Mr & Mrs Ruth C/o Mr S Dodd	12 Orchard Close New Denham Buckinghamshire UB9 4BB	Application for a Certificate of Lawfulness for proposed: hip to gable roof extension, front rooflights and rear dormer.	Certificate of Lawful Use granted	28.09.16
16/01480/FUL	Denham Parish Council	Mr & Mrs Michael Magowan C/o Mr David Nutchey	30 Lower Road Higher Denham Denham Buckinghamshire UB9 5EA	Single storey side extension.	Application Permitted	30.09.16
16/01494/GPDE	Denham Parish Council	Mr Satpal Singh Brar C/o Mr J Singh	1 Oxford Gardens Denham Buckinghamshire UB9 4EA	Notification under The Town and Country Planning (General Permitted Development) Order 2015, Part 1 of Schedule 2 Class A 4 for a single storey rear extension (Dimensions D 5m, MH 3.12m, EH 2.95m).	Approval is granted	19.09.16
16/01508/CLOP ED	Denham Parish Council	Mr & Mrs Rogers C/o Mr Mark Pottle	Vanessa Broken Gate Lane Denham Buckinghamshire UB9 4LA	Front porch.	Application Permitted	30.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01503/JNOT	Denham Parish Council	BNY Mellon As Trustee For AEW UK Core Property Fund C/o Mrs Celia Bedford	River Court 50 Oxford Road New Denham Denham Buckinghamshire UB9 4DN	Notification under The Town and Country Planning (General Permitted Development) (England) Order 2015, Part 3 of Schedule 2 Class O for: Change of use from Offices (Class B1) to 22 Residential flats (Class C3).	Approval is granted	10.10.16
16/01236/TEMP	Denham Parish Council	Mr Anoopam Mission C/o Mr Marchini Curran	Anoopam Mission The Lea Western Avenue Denham Buckinghamshire UB9 4NA	Temporary marquee.	Temporary planning permission granted	11.10.16
16/01553/NMA	Denham Parish Council	Mr S Makwana C/o Mr S Dodd	Oakwood Hollybush Lane Denham Buckinghamshire UB9 4HG	Non-material amendment to planning permission 15/01988/FUL: To allow repositioning of extension and increase in width (75mm) as well as addition of ground floor flank wall window and rooflight	Application refused	16.09.16
16/01720/NMA	Denham Parish Council	Mr Mark Smith	Deluxe Laboratories Ltd Denham Film Laboratories Denham Media Park North Orbital Road Denham Green Buckinghamshire UB9 5HQ	Non-material amendment to planning permission 14/01925/FUL: For house type 67 - Top Floor inset terrace to be revised. House type 67 and 70 internal layout revision.	Application Permitted	04.10.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01516/FUL	Dorney Parish Council	Mr & Mrs Ansell C/o Mr O'Keefe	15 Meadow Way Dorney Reach Buckinghamshire SL6 0DR	Replacement single story rear extension.	Application Permitted	10.10.16
16/01334/FUL	Farnham Royal Parish Council	Mr G Vass C/o Ms A Johnson	Feldon Beeches Road Farnham Common Buckinghamshire SL2 3PS	Single storey side extension incorporating attached garage.	Application Permitted	15.09.16
16/01335/FUL	Farnham Royal Parish Council	Mr & Mrs Dolling C/o Mr T Isaac	11 Long Close Farnham Royal Buckinghamshire SL2 3EJ	Front porch and first floor side extension.	Application Permitted	16.09.16
16/01405/FUL	Farnham Royal Parish Council	Mr Narinder Dhillon C/o Mr Sam Dodd	Land At Scopello Beeches Road Farnham Common Buckinghamshire SL2 3PR	Redevelopment of site to provide three detached dwellings served by the existing access off Beeches Road (amendment to planning permission 15/01650/FUL).	Application Permitted	23.09.16
16/01352/TNO T	Farnham Royal Parish Council	. C/o Claire Pegg	Verge North Of Farnham Park Lodge On The East Side Of Beaconsfield Road Farnham Royal Buckinghamshire	Notification under The Town and Country Planning (General Permitted Development) Order 2015, Part 16 of Schedule 2 for the the decommissioning of the existing lamppost monopole, installation of a proposed 11.7m high Phase 4 monopole, installation of a Pogona equipment cabinet and associated development.	Approval is granted	21.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01393/FUL	Farnham Royal Parish Council	Mr M Cluer C/o Mr B Strong	Autumn House Parsonage Lane Farnham Common Buckinghamshire SL2 3NZ	Single storey side extension incorporating integral garage.	Application Permitted	23.09.16
16/01392/FUL	Farnham Royal Parish Council	Mr & Mrs Samra C/o Mr Warren Joseph	Site Of Samra Place Clare Drive Farnham Common Buckinghamshire SL2 3LL	Detached dwellinghouse.	Application Permitted	03.10.16
16/01299/FUL	Farnham Royal Parish Council	Mr J Boyd	The Laurels Farnham Park Playing Fields Beaconsfield Road Farnham Royal Buckinghamshire SL2 3BP	Rear canopy and outbuilding. Laying of astroturf.	Application Permitted	29.09.16
16/01412/FUL	Farnham Royal Parish Council	Mr & Mrs Connell	44 Mayflower Way Farnham Common Buckinghamshire SL2 3UB	Single storey rear extension incorporating roof lantern.	Application Permitted	27.09.16
16/01493/TPO	Farnham Royal Parish Council	Helen Thompson C/o Mr M Wastle	Egypt Wood Egypt Lane Farnham Common Buckinghamshire SL2 3LD	T1 - Oak - reduction to lateral branches/spread over garden by up to 1.5m and crown lift by 4m from ground level (TPO no. 26, 2000).	Application Permitted	30.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01486/FUL	Farnham Royal Parish Council	Mr & Mrs D Firminger C/o Robert Hillier	15 Badgers Wood Farnham Common Buckinghamshire SL2 3HH	First floor front and rear extensions and pitched roof over existing rear dormer.	Application Permitted	07.10.16
16/01485/CLOPED	Farnham Royal Parish Council	Mr & Mrs Firminger C/o Mr R Hillier	15 Badgers Wood Farnham Common Buckinghamshire SL2 3HH	Application for certificate of lawfulness for proposed: Single storey side extension.	Certificate of Lawful Use granted	10.10.16
16/01523/FUL	Farnham Royal Parish Council	Mr James Williams C/o Nathan Turner	Glengariff Crown Lane Farnham Royal Buckinghamshire SL2 3SQ	Front porch, part two storey, part single storey front, side and rear extensions incorporating front dormer.	Application Permitted	10.10.16
16/01532/CLUED	Farnham Royal Parish Council	Mr S Porter	Beech Hurst Farnham Park Lane Farnham Royal Buckinghamshire SL2 3LP	Application for a Certificate of Lawfulness for existing: Use of land for residential purposes ancillary to the residential use of the dwellinghouse known as 'Beechurst'.	Certificate of Lawful Use granted	06.10.16
16/01307/FUL	Fulmer Parish Council	Mr Ben Gardiner C/o Mr Stephen Prismall	Fulmer House Farm Alderbourne Lane Fulmer Buckinghamshire SL3 6JB	Proposed storage barn.	Application Permitted	16.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01384/TPO	Fulmer Parish Council	Tim Waite	Hunters End Hay Lane Fulmer Buckinghamshire SL3 6HJ	(T1) Cherry Tree - fell (TPO no. 03, 1950).	Application Permitted	16.09.16
16/01473/FUL	Fulmer Parish Council	Mr G Bafhtiar C/o Mr D Russell	The Birches Windmill Road Fulmer Buckinghamshire SL3 6HF	Replacement detached dwelling and detached double garage (Amendment to planning permission 15/01724/FUL).	Application refused	06.10.16
16/01562/AGN OT	Fulmer Parish Council	Mr Ben Gardiner C/o Mr Stephen Prismall	Fulmer House Farm Alderbourne Lane Fulmer Buckinghamshire SL3 6JB	Notification of agricultural or forestry development under Schedule 2, Part 6 of the Town and Country Planning (General Permitted Development) Order 2015 for: Machinery storage building.	Application refused	20.09.16
16/01662/NMA	Fulmer Parish Council	Mr A Zabri C/o D. S. Designs Ltd	Fulmer Park Cherry Tree Lane Fulmer Buckinghamshire SL3 6JE	Non-material amendment to planning permission 15/01110/FUL: to allow a reduction in width of two storey side extension, infilling of part of front extension and alterations to fenestration.	Application refused	04.10.16
16/00766/NMA	Gerrards Cross Town Council	Angle Property (Gerrards Cross) Ltd C/o Mr J Best	Marsham House Station Road Gerrards Cross Buckinghamshire SL9 8ER	Non Material Amendment to planning permission 14/02192/FUL for: addition of 'fin' wall to east elevation ground floor plan, alterations to fenestrations, internal alterations to increase size of units and reconfiguration of basement layout.	Application Permitted	14.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01358/FUL	Gerrards Cross Town Council	Mr Ali C/o Mr Harmeet Minhas	Knights Lodge 16 Windsor Road Gerrards Cross Buckinghamshire SL9 7NA	Two storey front extension and part single/part two storey rear extension incorporating roof lanterns. Reconstruction of existing roof incorporating front and rear dormers (Amendment to 16/00935/FUL).	Application Permitted	16.09.16
16/01374/FUL	Gerrards Cross Town Council	Dr A Toutouchi C/o Mrs A Danon-Bavcic	Diss Park 32 Marsham Lane Gerrards Cross Buckinghamshire SL9 8HD	Replacement garage with self contained annexe.	Application Permitted	19.09.16
16/01264/RVC	Gerrards Cross Town Council	Ms A Babber C/o Mr S Mann	Infinitus 103 Windsor Road Gerrards Cross Buckinghamshire SL9 7HA	Variation of condition 7 of planning permission 13/00143/FUL: to allow insertion of rooflights in side elevations.	Application Permitted	28.09.16
16/01365/TPO	Gerrards Cross Town Council	Mrs Heather Clarke C/o Mr Paul Morris	High Cedars 17 Oak End Way Gerrards Cross Buckinghamshire SL9 8DA	(G1) - Cypress trees/hedge - crown reduce by 15%-20% (TPO no. 08, 1974).	Application Permitted	16.09.16
16/01401/FUL	Gerrards Cross Town Council	Mr Monga C/o Mr Harmeet Minhas	Trevellas 15 Valley Way Gerrards Cross Buckinghamshire SL9 7PL	Two storey front extension, replacement of existing north eastern flank elevation and replacement roof.	Application Permitted	22.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01407/JNOT	Gerrards Cross Town Council	Buckland And Sons Property Partnership C/o Mr F Kirkcaldy	Brindgwood 17 East Common Gerrards Cross Buckinghamshire SL9 7AG	Notification under The Town and Country Planning (General Permitted Development) Order 2015, Part 3 of Schedule 2 Class O for: Change of use from office (Class B1 (a)) to residential (Class C3) to form one private dwelling.	Application refused	22.09.16
16/01430/TPO	Gerrards Cross Town Council	Mr G Connolly C/o Mr Paul Morris	Ledbury House 38 Manor Lane Gerrards Cross Buckinghamshire SL9 7NJ	(T1) Pine - fell. (T2) Oak - crown lifting 3.5m from ground level. (T3) Beech - crown lifting 3.5m from ground level (TPO/SBD/0509).	Application Permitted	16.09.16
16/01415/FUL	Gerrards Cross Town Council	Mr & Mrs N Woollacott C/o Richard Cutler	The Clare House 29 Orchehill Avenue Gerrards Cross Buckinghamshire SL9 8QE	Replacement detached garage and shed.	Application Permitted	22.09.16
16/01440/FUL	Gerrards Cross Town Council	Mr & Mrs Jackson C/o Mr S Dodd	Ivy Cottage 8 West Common Gerrards Cross Buckinghamshire SL9 7QN	Part single storey/part two storey rear extension incorporating roof lantern.	Application Permitted	07.10.16
16/01448/FUL	Gerrards Cross Town Council	Mr Kalad Shah C/o Mr Andrzej Hewanicki RIBA	19 Howards Wood Drive Gerrards Cross Buckinghamshire SL9 7HR	Part two storey, part single storey front, sides and rear extensions incorporating rooflights.	Application Permitted	29.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01455/TPO	Gerrards Cross Town Council	Mr Gino Giacomelli C/o Mr Neil Whyte	17 Meadway Park Gerrards Cross Buckinghamshire SL9 7NN	T1 Oak - Removal/reduction to previous pruning points over adjacent play area. (ERDC TPO No. 3, 1967 (A1)).	Application Permitted	20.09.16
16/01463/FUL	Gerrards Cross Town Council	Kream Properties C/o Mr D Webb	24 Dale Side Gerrards Cross Buckinghamshire SL9 7JE	Redevelopment of the site to provide two detached dwellings with associated vehicular access.	Application Permitted	03.10.16
16/01340/JNOT	Gerrards Cross Town Council	Mr Malkit Purewal C/o Mr Sam Dodd	1st And 2nd Floors Of 56 Packhorse Road (also Known As 56A Packhorse Road) Gerrards Cross Buckinghamshire SL9 8EF	Notification under The Town and Country Planning (General Permitted Development) (England) Order 2015, Part 3 of Schedule 2 Class O for: Change of use from Offices (Class B1) to 3 Residential flats (Class C3).	Prior approval is not required	03.10.16
16/01456/FUL	Gerrards Cross Town Council	Miss Sarah Wenzel C/o Mr Robert Johnson	51 Packhorse Road Gerrards Cross Buckinghamshire SL9 8PE	Installation of air conditioning to retail area and prep area and installation of relevant condenser units to the rear of the property.	Application Permitted	30.09.16
16/01499/FUL	Gerrards Cross Town Council	Mr D Namdakov C/o Paul Berry	Stoneygate 8 Top Park Gerrards Cross Buckinghamshire SL9 7PW	Construction of front garden wall and front entrance gates.	Application Permitted	06.10.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01511/FUL	Gerrards Cross Town Council	Mr & Mrs Parnell C/o Mr Paul Lugard	7 Meadway Park Gerrards Cross Buckinghamshire SL9 7NN	Part single storey/part first floor front/side extensions and alterations to existing front dormer to form second front-facing gable.	Application Permitted	30.09.16
16/01265/RVC	Gerrards Cross Town Council	Mr K Sandhu C/o Mr S Mann	24 Howards Wood Drive Gerrards Cross Buckinghamshire SL9 7HN	Variation of condition 4 of planning permission 13/01233/FUL: to allow insertion of rooflights in side elevations.	Application Permitted	07.10.16
16/01429/FUL	Gerrards Cross Town Council	Mr & Mrs D Allen C/o Mr D Blyth	Rosemont 23 Dukes Close Gerrards Cross Buckinghamshire SL9 7LH	Part two storey, part single storey rear extension incorporating increase in ridge height with front and rear dormers.	Application refused	30.09.16
16/01501/FUL	Gerrards Cross Town Council	Mr David Holmes	3 Marsham Way (also Known As Unit 3, 16 Packhorse Road) Gerrards Cross Buckinghamshire SL9 8AB	Change of use from Retail (A1) to Non Residential Institution (D1)	Application Permitted	10.10.16
16/01528/FUL	Gerrards Cross Town Council	Mr Hamilton C/o Mr Conor Mc Glue	Fortuna Cottage 65 Bulstrode Way Gerrards Cross Buckinghamshire SL9 7RB	Demolition of existing dwelling and replacement with new dwelling.	Application Permitted	07.10.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01533/MNO T	Gerrards Cross Town Council	Mr G Blanshard C/o Mrs Lucie Stone	Land At St Huberts Lane St Huberts Lane Gerrards Cross Buckinghamshire	Prior notification under Class Q of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 for change of use of agricultural building to a dwellinghouse (Class C3).	Application refused	07.10.16
16/01530/FUL	Gerrards Cross Town Council	Mr P Egan C/o Mr Mark Longworth	Dornoch Cottage 28 Top Park Gerrards Cross Buckinghamshire SL9 7PW	Replacement garage with first floor habitable accommodation incorporating front dormers.	Application Permitted	04.10.16
16/01546/TPO	Gerrards Cross Town Council	Mr A Ring	5 The Spinney Gerrards Cross Buckinghamshire SL9 7LS	Oak x 2 - Crown thinning not to exceed 30% (SBDC TPO No. 01, 1989).	Application Permitted	21.09.16
16/01574/TPO	Gerrards Cross Town Council	Andrew Steel	36 Fulmer Drive Gerrards Cross Buckinghamshire SL9 7HL	(T1) Silver Birch - Fell and (T2) Oak - Fell (SBDC TPO No. 46, 2001).	Consent not required	30.09.16
16/01581/TPO	Gerrards Cross Town Council	C/o Mr P Wilkins	Land At 38 And Rear Of 18 To 36 Dukes Wood Drive And Rear Of 3 To 11 Birchdale Gerrards Cross Buckinghamshire	T23 Beech - 5 metre crown lift from ground level and 2 metre crown reduction. T31 Oak - reduce over extended lateral branches by no more than 2 metres. T34 Beech - fell. (SBDC TPO 1, 1989)	Application Permitted	07.10.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01747/TPO	Gerrards Cross Town Council	Mr Craig Collett	Somerton 71 Windsor Road Gerrards Cross Buckinghamshire SL9 7NL	T1 -Hawthorn -Fell T2-Cypress -Fell T3 - Purple Leaved Plum - Fell (SBDC TPO No 3, 1967)	Consent not required	07.10.16
16/01367/CLOP ED	Hedgerley Parish Council	Mr B Leigh C/o Mr J Quartermaine	Woodland Cottage Wapseys Lane Hedgerley Buckinghamshire SL2 3XG	Application for a Certificate of Lawfulness for proposed: pool cover over existing swimming pool.	Certificate of Lawful Use granted	21.09.16
16/01423/FUL	Hedgerley Parish Council	Mr D Bromfield C/o Mr S Dodd	1 Vale View Gregory Road Hedgerley Buckinghamshire SL2 3XN	Part single/part two storey front/side extension and single storey rear extension (Amendment to planning permission 16/00291/FUL).	Application Permitted	21.09.16
16/01449/FUL	Hedgerley Parish Council	Mr Peter Brogden C/o Mr Trevor Clapp	St Marys Church Village Lane Hedgerley Buckinghamshire SL2 3UY	Restoration of existing pathways and creation of 2 new pathways.	Application Permitted	22.09.16
16/01710/NMA	Hedgerley Parish Council	Mr T Jachau C/o Mr D Parry	Two Pins Andrew Hill Lane Hedgerley Buckinghamshire SL2 3UL	Non Material Amendment to Planning Permission 16/00178/FUL to allow minor adjustments to window placements.	Application Permitted	04.10.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01342/FUL	Iver Parish Council	Mr J JHAJ C/o Mr J SINGH	32 Wellesley Avenue Iver Buckinghamshire SL0 9BN	Detached rear outbuilding.	Application Permitted	14.09.16
16/01354/TPO	Iver Parish Council	Mr M Lancaster C/o Mr P Morris	Gamekeepers Pinewood Road Iver Heath Buckinghamshire SL0 0NJ	(T3) Pine - Remove heavy sided bough and (T6) Oak - Crown reduction by 25% and reshape (SBDC TPO No. 20, 2010).	Application Permitted	16.09.16
16/01306/FUL	Iver Parish Council	Mair C/o Mr H Minhas	93 Slough Road Iver Heath Buckinghamshire SL0 0DH	First floor side extension.	Application Permitted	16.09.16
16/01348/JNOT	Iver Parish Council	Mounpace Ltd C/o Mr Anthony Allen	Olympia House Unit 2 Reflection West 28 The Ridgeway Iver Buckinghamshire SL0 9HX	Notification under The Town and Country Planning (General Permitted Development) (England) Order 2015, Part 3 of Schedule 2 Class O for: Change of use from Offices (Class B1) to 51 Residential flats (Class C3).	Prior approval is not required	19.09.16
16/01379/FUL	Iver Parish Council	Tixos Limited C/o Louise Hvaal	Land At Calves Lane Farm Billet Lane Iver Buckinghamshire	The addition of a 10m high extension on the existing 25m mast. 1 x 1.8m dish and 1 x 0.6m dish will be removed and 10 x 0.6m dishes installed. The increased height is required and the link between Calves Lane Farm and the Post Office Tower will be lost when a new property, West End Green, is constructed.	Application Permitted	19.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01388/FUL	Iver Parish Council	Mr & Mrs S Ahdan	The Oaks Sevenhills Road Iver Heath Buckinghamshire SL0 0PA	Front porch and first floor extension incorporating roof replacement with front/side/rear dormers (amendment to planning permission 16/00858/FUL).	Application Permitted	20.09.16
16/01408/FUL	Iver Parish Council	Mr Terry Daniel C/o Mr Peter Norman	Land Rear Of 77 Swallow Street Iver Buckinghamshire SL0 0ET	Residential development consisting of three detached dwellings with associated access and landscaping (amendment to planning permission 15/01970/FUL).	Application Permitted	26.09.16
16/01416/FUL	Iver Parish Council	Mr R Dixon C/o Mr J Kilner-Smith	Yew Tree Cottage 16 Thorney Lane North Iver Buckinghamshire SL0 9JY	Part two storey/part first floor side extension.	Application Permitted	21.09.16
16/01371/FUL	Iver Parish Council	Mr K Suman C/o Selsdon Consultancy	Land To Rear Of 199 The Parkway Iver Heath Buckinghamshire	Detached dwelling, car port and associated access.	Application refused	27.09.16
16/01404/FUL	Iver Parish Council	Mr & Mrs F & S Marajo C/o Chris Dale	10 Potters Cross Iver Heath Buckinghamshire SL0 OBS	Two storey side and rear extension and enlargement of garage to rear.	Application Permitted	21.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01432/FUL	Iver Parish Council	Mr Rupert Gilman	Land With Access From Stonecroft Avenue Rear Of Wayside Love Lane Iver Buckinghamshire SL0 9QT	Detached bungalow.	Application Permitted	06.10.16
16/01453/FUL	Iver Parish Council	Mr A Rajapakse C/o Mr K Valand	93 Pinewood Green Iver Heath Buckinghamshire SL0 0QN	Part single/part two storey side/rear extension.	Application Permitted	22.09.16
16/01444/FUL	Iver Parish Council	Mr & Mrs D. Gillard C/o Declan Minoli	Tanglin House Norwood Lane Iver Heath Buckinghamshire SL0 0EW	Single storey front extension, part single storey/part two storey rear extension and part single storey/part two storey side extension.	Application Permitted	11.10.16
16/01445/CLOPED	Iver Parish Council	Mr D. Gillard C/o Declan Minoli	Tanglin House Norwood Lane Iver Heath Buckinghamshire SL0 0EW	Application for a Certificate of Lawfulness for: Detached outbuilding.	Certificate of Lawful Use granted	29.09.16
16/01446/CLOPED	Iver Parish Council	Mr & Mrs D Gillard C/o Declan Minoli	Tanglin House Norwood Lane Iver Heath Buckinghamshire SL0 0EW	Application for a Certificate of Lawfulness for proposed: Outbuilding.	Certificate of Lawful Use granted	29.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01368/FUL	Iver Parish Council	Mr Jasuant Sigh Bharj	6 Pinewood Close Iver Heath Buckinghamshire SL0 0QT	Conversion of garage into habitable accommodation.	Application Permitted	30.09.16
16/01437/FUL	Iver Parish Council	Ms L Stanton C/o Mr G Benning	23A Colne Orchard Iver Buckinghamshire SL0 9NA	Detached dwelling (Amendment to planning permission 14/01628/FUL).	Application Permitted	04.10.16
16/01478/TPO	Iver Parish Council	Stadium Housing C/o Mr N Houston	Opp. 3 Rowan Gardens Iver Heath Buckinghamshire SL0 0SF	(T1) Oak - Clearance from building not to exceed 2 metres; Clearance over vehicular access not to exceed 5.4 metres from ground level; Removal of crossing branch from secondary leader at 3 metres height. (SBDC TPO No. 09, 2013).	Application Permitted	19.09.16
16/01518/FUL	Iver Parish Council	Arqiva Ltd. C/o Mr Darren Fradgley	Iver Ate Holmsdale Close Iver Buckinghamshire	The removal of the existing 15m high monopole mast and the development of a replacement 17.5m high monopole mast with attached antennas, equipment cabinets at ground level and ancillary development.	Application Permitted	30.09.16
16/01521/TPO	Iver Parish Council	Mrs S Sama	Hedgeways 14 Old Slade Lane Iver Buckinghamshire SL0 9DR	T1 - Beech - clearance from building not to exceed 2-3 metres and from overhead cables not to exceed 1-2 metres (TPO no. 41, 1998).	Application Permitted	21.09.16
16/01491/FUL	Iver Parish Council	Mr P Docherty	14 Whitehouse Way Iver Heath Buckinghamshire SL0 0HB	Two storey side extension and replacement detached garage.	Application Permitted	10.10.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01466/CLOP ED	Iver Parish Council	Mr D Bolger C/o Mr K Surey	57 Pinewood Green Iver Heath Buckinghamshire SLO 0QN	Application for a Certificate of Lawfulness for proposed: Outbuilding.	Refusal of Lawful Use	30.09.16
16/01577/CC	Iver Parish Council	Buckinghamshire County Council	Park Lodge Pinewood Road Iver Heath Buckinghamshire SLO ONE	Variation of conditions 1 of CM/03/14 of original planning permission 11/01720/CM in order to allow extension of operational period until 31 December 2020 (BCC Ref: CM/36/16).	Objections	21.09.16
16/01578/CC	Iver Parish Council	Buckinghamshire County Council	Park Lodge Pinewood Road Iver Heath Buckinghamshire SLO ONE	Variation of condition 2 of CC/01/14 of original planning permission 11/01717/CM in order to allow extension of operational period until 31 December 2020 (BCC Ref: CM/37/16).	Objections	27.09.16
16/01579/CC	Iver Parish Council	Buckinghamshire County Council	Park Lodge Pinewood Road Iver Heath Buckinghamshire SLO ONE	Variation of condition 1 of CM/02/14 of original planning permission 11/01718CM in order to allow extension of operational period until 31 December 2020 (BCC Ref: CM/38/16).	Objections	21.09.16
16/01580/CC	Iver Parish Council	Buckinghamshire County Council	Park Lodge Pinewood Road Iver Heath Buckinghamshire SLO ONE	Variation of condition 1 of CM/04/14 of original application 11/01720/CM in order to allow extension of operational period until 31 December 2020 (BCC Ref: CM/39/16).	Objections	21.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01474/CLOP ED	Iver Parish Council	Mr I Kalsi C/o Mr R Marchant	244 Swallow Street Iver Buckinghamshire SL0 0HT	Application for a Certificate of Lawfulness for proposed: Hip to gable roof extension incorporating rear dormer and detached outbuilding.	Part Consent/Part Refusal (See decision)	30.09.16
16/01630/GPDE	Iver Parish Council	Mr Hitesh Soin C/o Mr Alwyn Crisanto	5 Northumberland Walk Iver Buckinghamshire SL0 9AW	Notification under The Town and Country Planning (General Permitted Development) Order 2015, Part 1 of Schedule 2 Class A 4 for single storey side and rear extensions (Dimensions D 5.5m, MH 3.0m, EH 2.85m).	Application refused	30.09.16
16/01357/FUL	Stoke Poges Parish Council	Mr Robert Crocker C/o Nathan Turner	Clifton Cottage Duffield Lane Stoke Poges Buckinghamshire SL2 4AD	Increase in ridge height of roof to side annexe.	Application Permitted	19.09.16
16/01119/CLOP ED	Stoke Poges Parish Council	Mrs S Rahhal-Murphy	Monkseaton Park Road Stoke Poges Buckinghamshire SL2 4PG	Application for Certificate of Lawfulness for Proposed: Hip-to-gable roof extension, enlarged dormer, and rear Juliet balcony	Application refused	19.09.16
16/01370/CLUE D	Stoke Poges Parish Council	Mr Michael Shankster	2 Woodbine Cottages Gerrards Cross Road Stoke Poges Buckinghamshire SL2 4EL	Application for a Certificate of Lawfulness for existing: Use of an outbuilding as a separate self-contained dwelling.	Application refused	27.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01433/TPO	Stoke Poges Parish Council	Mrs P Warren	The Nonsense House West End Lane Stoke Poges Buckinghamshire SL2 4NE	(T1) Oak - Fell and (T2) Ash - Fell (SBDC TPO No. 07, 1988).	Application Permitted	16.09.16
16/01477/GPDE	Stoke Poges Parish Council	Mr And Mrs Alam	54 Plough Lane Stoke Poges Buckinghamshire SL2 4JP	Notification under The Town and Country Planning (General Permitted Development) Order 2015, Part 1 of Schedule 2 Class A 4 for a single storey rear extension (Dimensions D 4.0m, MH 3.0m, EH 2.7m).	Prior approval is not required	16.09.16
16/01487/FUL	Stoke Poges Parish Council	Mr K Skehan C/o Selsdon Consultancy	4 Penn Meadow Stoke Poges Buckinghamshire SL2 4EB	Part single/part two storey front/side/rear extension incorporating integral garage.	Application Permitted	03.10.16
16/01492/FUL	Stoke Poges Parish Council	Mr Martin Higgins C/o Mr A B Jackson	Stoke Place Farm Stoke Road Stoke Poges Buckinghamshire SL2 4NL	Retrospective Change of Use of agricultural land to a dog run in conjunction with kennels business.	Application Withdrawn	16.09.16
16/01337/FUL	Taplow Parish Council	Mr J Bains C/o Jonathan Heighway	3 Amerden Lakes Amerden Lane Taplow Buckinghamshire SL6 0EL	Roof extension and two rear dormers.	Application Permitted	14.09.16

App'n No	Parish	Applicant / Agent	Site	Proposal	Decision	Date of decision
16/01467/FUL	Taplow Parish Council	Mr & Mrs Hermanns C/o Mr Conor Mc Glue	The May Barn Wooburn Common Road Taplow Buckinghamshire HP10 0JS	Alterations to windows and doors.	Application Permitted	20.09.16
16/01468/LBC	Taplow Parish Council	Mr & Mrs Hermanns C/o Mr Conor Mc Glue	The May Barn Wooburn Common Road Taplow Buckinghamshire HP10 0JS	Listed Building Application for: alterations to windows and doors.	Application Permitted	20.09.16
16/01458/FUL	Taplow Parish Council	Mr Alex Burrows	Mill Island Mill Lane Taplow Buckinghamshire SL6 0AG	Reconstruction and extension of Mill Island Cottage in relation to development at former Paper Mill.	Application Permitted	03.10.16
16/01609/NMA	Taplow Parish Council	Alex Burrows	St Regis Paper Mill And Adj Land Including Skindles Hotel Site Mill Lane Taplow Buckinghamshire	Non-material amendment to planning permission 15/01039/FUL to allow alterations to fenestration and increase in number of bedrooms and parking spaces.	Application Permitted	28.09.16
16/01495/FUL	Wexham Parish Council	Mr Harry Sharma C/o Mr Michael Williams	Pippins 8 Church Grove Wexham Buckinghamshire SL3 6LF	Single storey rear extension, rear dormer and side rooflights.	Application Permitted	04.10.16

**OUTSTANDING ENFORCEMENT NOTICES
(AS AT 17TH OCTOBER 2016 FOR 26TH OCTOBER 2016 PLANNING COMMITTEE)**

SINCE JANUARY 1983 A TOTAL OF **873** ENFORCEMENT NOTICES HAVE BEEN AUTHORISED. THOSE INCLUDED IN THIS SCHEDULE ARE THOSE IN RESPECT OF WHICH THE CONTRAVENTION HAS NOT BEEN RESOLVED.

*** THIS INFORMATION IS UP TO DATE AS AT PRINT AND IS UPDATED BY WAY OF REGULAR MEETINGS BETWEEN PLANNING, ENFORCEMENT AND LEGAL STAFF**

PROPERTY	ORCHARD HERBS, LAKE END ROAD		BURNHAM (1098)
CONTRAVENTION	AUTHORISED	NOTICE SERVED	DATE FOR COMPLIANCE
(1) PARKING COMMERCIAL VEHICLES	27.7.05	28.7.05	27.4.06
(2) EXTENSION TO STORAGE BAY	23.5.07	6.6.07	27.8.08
(3) NON-AGRICULTURAL STORAGE	23.5.07	6.6.07	16.7.10
REMARKS			
<p>(1) PREVIOUS EN UPHELD ON APPEAL. COMPLIED INITIALLY. CURRENTLY – JUNE 2012 – BEING CLEARED.</p> <p>[(2) & (3) APPEALS]– (2) GROUND A & D (3) GROUND A, F & G. – PI – 17/18.6.08 – DECISION 27.6.08. EN'S UPHELD AS AMENDED AND PARTIAL AWARD OF COSTS.</p> <p>(2) S.V. 4.11.08 MAJORITY REMOVED. PA – 10/01347/FUL – REFUSED 8.10.10. SV 18.7.11 – STORAGE BAYS DEMOLISHED. PA 11/00914/FUL – REPLACEMENT BUILDING AND FENCING RE COMPOUND AREA. REFUSED 29.7.11. APPEAL – WRITTEN REPS. APPEAL SITE VISIT 7.12.11. DISMISSED 18.1.12. PA 11/01426/FUL RE FENCING AND STORAGE BAY S – 9.9.11 – ALLOWED PLANNING COMMITTEE 26.10.11.</p> <p>(3) DUE COMPLIANCE 27.9.08 – APPLICATION FOR LEAVE TO APPEAL 24.7.08. SOS CONSENTED AND MATTER RE-MITTED BACK TO PINS FOR DETERMINATION. CONSENT ORDER 16.3.09 – FURTHER PI HELD 23/ 24.2.10. DECISION 16.4.10 – EN UPHELD AS AMENDED TO EXCLUDE AREA WHERE USE CONSIDERED LAWFUL. SV 17.8.10 – BREACHES OUTSIDE LAWFUL AREA. WARNING LETTER – FURTHER SV 1.10.10. LIAISING WITH NEW AGRICULTURAL TENANT. APPROACHED BY OWNERS AGENT TO RESOLVE – FEB 2011. OUTSIDE AREAS BEING MONITORED. STORAGE WITHIN COMPOUND AREA – LAWFUL. (NOTE: BCC ALSO SERVED EN RE. WASTE MATERIAL. APPEALED BUT WITHDRAWN). CLU APPLICATION 5.8.08 – 08/01316/EUC. REFUSED 25.9.08.</p> <p>FURTHER 'WORKS' RE GRAVEL – PA – 12/00384/FUL – EXCAVATION OF GRAVEL/RESURFACING OF YARD – W/D 3.5.12. DETAILED SV 20.4.12 – BREACHES IN EVIDENCE AND FURTHER BREACHES RE CAR BREAKING – 14 DAYS TO CEASE/ 28 DAYS TO CLEAR – FURTHER SV 18.5.12. FURTHER BREACHES OUTSIDE COMPOUND – PROSECUTION THREATENED. COMPOUND FENCING IN THE COURSE OF BEING REDUCED. SV 20.6.12 – CAR BREAKERS CEASED AND GONE AND VEHICLES REDUCED O/S COMPOUND.</p> <p>NEW OCCUPIER – 5 YEAR LEASE – PROPOSED ANIMAL SANCTUARY. SV 10.7.12- VEHICLES OUTSIDE COMPOUND REDUCED – AND OWNER NOW CLAIMS ALL EN COMPLIED WITH – AUGUST 2012 – ALL VEHICLES NOW IN COMPOUND – NFA. ANIMAL SANCTUARY IN OPERATION – NOT IN BREACH OF ENFORCEMENT NOTICE. PP PENDING (PRE APP MEETING HELD ON 21.12.12) – WHICH WILL SEEK TO REGULARISE ITS USE. SV UNDERTAKEN ON 12.10.12 – NO FORMAL ACTION RE ENFORCEMENT NOTICES</p> <p>OTHER BREACHES BEING RESOLVED</p> <p>PA REF 14/00520/FUL RECEIVED ON 18 MARCH 2014 FOR CHANGE OF USE TO ANIMAL SANCTUARY AND RETENTION OF OUTBUILDINGS IN CONNECTION WITH THIS USE. APPLICATION REFUSED 13TH MAY 2014. NEGOTIATIONS TAKING PLACE RE THE RELOCATING OF THE ANIMAL SANCTUARY – ON GOING. 7.8.15 – OFFICERS HAVE BEEN INFORMED THAT CONFIDENTIAL NEGOTIATIONS ARE STILL ONGOING.</p>			

7.9.15 – RELOCATION OF THE ANIMAL SANCTUARY DUE TO TAKE PLACE BY JANUARY 2016. 13.1.16 – OFFICERS INFORMED THAT AGREEMENT NOW REACHED RE LAND ONTO WHICH THE SANCTUARY WILL BE RELOCATIONG. EXACT MOVE DATE TBC BY ENF TEAM. 8.6.16 – ENFORCEMENT OFFICER MEETING ON 9.6.2016 RE RE-LOCATION. 13.7.16 – OFFICERS ATTENDED MEETING AND PROGRESS HAS BEEN MADE. SITE VISIT PENDING TO CONFIRM THE MOVING DATE. 18.8.16 – PROGRESS BEING MADE REGARDING RELOCATION. FURTHER SITE VISITS TO BE UNDERTAKEN TO MONITOR PROGRESS. 28.9.16 – PROGRESS CONTINUES TO BE MADE REGARDING THE RE-LOCATION OF THE ANIMAL SANCTUARY.

PROPERTY	AREA 2, ALDERBOURNE COTTAGE, FULMER LANE		FULMER (1219)
CONTRAVENTION	AUTHORISED	NOTICE SERVED	DATE FOR COMPLIANCE
1. TSN – IMPORTATION AND MOVEMENT OF EARTH/MATERIALS TO RE-PROFILE THE LAND.	28.7.11 CON. BODY	29.7.11	29.7.11
2. DITTO BREACH AT 1. – EN AND SN	24.8.11 CON. BODY	25.8.11	25.8.11 – SN 10.2.12 – EN
3. WITHOUT PLANNING PERMISSION, THE MATERIAL CHANGE OF USE OF THE LAND FROM USE FOR RESIDENTIAL PURPOSES ANCILLARY TO ALDERBOURNE COTTAGE TO A MIXED USE OF THE LAND AS A GYPSY AND TRAVELLER SITE, THE STATIONING, PARKING AND/OR STORAGE OF COMMERCIAL VEHICLES AND MACHINERY AND THE STORAGE OF MATERIALS ON THE LAND (“UNAUTHORISED USES”) TOGETHER WITH THE ASSOCIATED WORKS AND OPERATIONAL DEVELOPMENT UNDERTAKEN (INCLUDING THE IMPORTATION OF EARTH AND MATERIALS FOR THE PURPOSES OF RE-PROFILING THE LAND AND THE CONSTRUCTION OF A VEHICULAR ACCESS) TO FACILITATE THESE UNAUTHORISED USES.	27.5.15	1.6.15	6/8 MONTHS

REMARKS

TEMP. STOP NOTICE ISSUED – CON. BODY APPROVAL.
 WARNING LETTER RE FURTHER BREACH RE RESIDENTIAL USE.
 PCN ISSUED DATED 5.8.11.
 CON. BODY AGREED TO ISSUE AN EN AND SN RE THE OP. DEVELOPMENT – SN TAKES IMMEDIATE EFFECT, NO RIGHT OF APPEAL.
 NO FURTHER WORKS UNDERTAKEN AREA 2– TSN/SN THEREFORE EFFECTIVE TO CURTAIL BREACH.
 EN APPEAL 4.10.11 – A, F AND G – WITHDRAWN 10.1.12 – EN TAKES IMMEDIATE EFFECT – ONE MONTH COMPLIANCE.
 FURTHER BREACHES UNDER INVESTIGATION.
 SV 14/15.12.11.
 PA – 31.1.12 RECEIVED
 12/00162/FUL – RECEIVED 1.2.12 RE AREA 2 RE RETENTION OF PART OF THE HARDSTANDING, ERECTION OF FENCING AND TREE PLANTING – REFUSED 16.3.12 – APPEALED 16.4.12 BUT DECLARED INVALID BY PINS AS OUT OF TIME (26.7.12).
 SV - FURTHER BREACHES RE RESIDENTIAL USE AND FENCING AND BREACH OF EN.
 INFORMED PA PENDING – PCN ISSUED SEPT 2012. PCN RESPONSE RECEIVED NOV 2012.

PA REF 12/01990/FUL RECEIVED ON 14.12.12 FOR CHANGE OF USE OF LAND TO 1 GYPSY PITCH FOR STATIONING OF ONE MOBILE HOME AND CARAVANS FOR RESIDENTIAL USE, CONSTRUCTION OF BUILDING FOR ANCILLARY USE AS UTILITY/DAYROOM AND THE FORMATION OF HARDSTANDING. PLANNING APPLICATION REFUSED 8.2.13.
 SV UNDERTAKEN 4.9.13. NO CHANGES ON SITE WHICH REQUIRED IMMEDIATE ACTION ON GOING ENFORCEMENT INVESTIGATION. 16.3.15 – PCN ISSUED AND SERVED ON OWNERS AND OCCUPIERS. 1.6.15 – ENF NOTICE ISSUED AND SERVED. EFFECTIVE DATE 13.7.2015. 26.6.15 – APPEAL RECEIVED – GROUND – F – WRITTEN REPS REQUESTED. 10.7.15 – SECOND APPEAL RECEIVED – GROUNDS A, B, D, F AND G – INQUIRY REQUESTED. 20.8.15 – APPEALS TO BE DETERMINED AT A PUBLIC INQUIRY. DATE OF INQUIRY – 28th JUNE 2016 FOR 4 DAYS.
 29.6.16 - INQUIRY ADJOURNED AFTER 2 DAYS TO 11TH OCTOBER 2016 FOR 3-4 DAYS. 17.10.16 – AWAIT APPEAL DECISION.

PROPERTY	AREA 1, ALDERBOURNE COTTAGE, FULMER LANE		FULMER (1229)
CONTRAVENTION	AUTHORISED	NOTICE SERVED	DATE FOR COMPLIANCE
UNAUTHORISED MATERIAL CHANGE OF USE OF THE LAND FROM A MIXED USE FOR RESIDENTIAL PURPOSES AND USE OF OUTBUILDINGS AS A WORKSHOP AND OFFICE AND FOR STORAGE AND RESIDENTIAL PURPOSES ANCILLARY TO ALDERBOURNE COTTAGE TO A MIXED USE COMPRISING GYPSY AND TRAVELLER SITE; USE OF OUTBUILDINGS FOR RESIDENTIAL PURPOSES ANCILARY TO USE AS A GYPSY & TRAVELLER SITE AND THE STATIONING, PARKING AND/OR STORAGE OF COMMERCIAL VEHICLES AND MACHINERY TOGETHER WITH ASSOCIATED WORKS AND OPERATIONAL DEVELOPMENT.	28.4.15	29.4.15	6/8 MONTHS.
REMARKS			
<p>NO ENFORCEMENT TO DATE BUT BREACHES – NOW A SEPARATE PLANNING UNIT TO AREA 2 ABOVE. PA – 31.1.12 RECEIVED 12/00153/FUL – RECEIVED 30.1.12 RE AREA 1 – 2 CARAVANS – COMMITTEE REFUSED 5.9.12 – REFUSAL NOTICE 19.9.12. – APPEAL RECEIVED ON 21.11.12, HEARING REQUESTED – NO DATE AS YET. FURTHER BREACHES BEING INVESTIGATED – SV 4.5.12 AND 18.5.12 – GATES/FENCING/BRICK PIERS, LANDSCAPING BUSINESS – EN WARNING AS PRECURSOR TO FURTHER EN. 4 DAY PUBLIC INQUIRY HELD FROM 16-19 JULY 2013 (INCL). DECISION EXPECTED TO BE RECEIVED ON 29.9.13, BUT RECENTLY CALLED-IN BY SOS. DECISION EXPECTED BY 28.01.14 AND STILL AWAITED AS AT 27.3.14. STILL AWAITED AS OF 20.5.14. SOS DECISION RECIVED; APPEAL DISMISSED 3rd JUNE 2014. ON GOING ENFORCEMENT INVESTIGATION. 16.3.15 – PCN ISSUED AND SERVED ON OWNERS AND OCCUPIERS. 29.4.15 – TWO ENFORCEMENT NOTICES ISSUED AND SERVED. EFFECTIVE DATE – 10.6.2015. 7.6.15 – APPEAL RECEIVED – GROUNDS RE CHANGE OF USE OF LAND AND BUILDINGS EN ARE A, F, AND G. GROUNDS RE USE OF BUILDING AS A SINGLE DWELLING EN ARE A, B, F– INQUIRY REQUESTED. 28.7.15 – PIN INDICATED APPEALS TO BE DETERMINED AT A HEARING BUT THIS WILL BE REVIEWED BY PIN. 20.8.15 – APPEALS TO BE DETERMINED AT A PUBLIC INQUIRY. DATE OF INQUIRY – 28TH JUNE 2016 FOR 4 DAYS. 29.6.16 - INQUIRY ADJOURNED AFTER 2 DAYS TO 11TH OCTOBER 2016 FOR 3-4 DAYS.. 17.10.16 – AWAIT APPEAL DECISION</p>			

PROPERTY	JASMINE COTTAGE, WOOD LANE		IVER (1188)
CONTRAVENTION	AUTHORISED	NOTICE SERVED	DATE FOR COMPLIANCE
UNAUTHORISED EXTENSIONS AND GARAGE	24.9.08	25.9.08	24.1.10
REMARKS			
<p>REFUSAL OF PP 7.7.08 – 08/00853/FUL. APPEAL GROUNDS A, C AND F. W.REPS. DECISION LETTER 24.7.09 – DISMISSED – 6 MONTHS TO COMPLY. HIGH COURT – SEEKING PERMISSION TO APPEAL PINS DECISION. HEARING 14.12.09 - ADJOURNED TO 24.3.10. REFUSED. EN NOW DUE FOR COMPLIANCE – ROLLED FORWARD COMPLIANCE PERIOD 6 MONTHS FOR WORKS – (SEPT 10). S.V. 29.9.10 CAUTIONED ON SITE – INTERVIEW UNDER CAUTION TO BE UNDERTAKEN 27.10.10. DELAYED TO 6.12.10 AT OWNERS AGENTS REQUEST FOR LEGAL ADVICE AND ALSO MEDICAL CERTIFICATE SUBMITTED ON BEHALF OF THE OWNER. FURTHER MEDICAL CERTIFICATE SUBMITTED TO 3.2.11 – INTERVIEW 7.2.11. INSTRUCTIONS TO PROSECUTE SUBMITTED TO WYCOMBE DC. COURT HEARING 10.8.11 – DEFENDANT DID NOT ATTEND – ADJOURNED TO 6.9.11 AND THEN TO 21.9.11 – 11AM. FURTHER ADJOURNED TO 22.12.11 – 2PM - DUE TO DEFENDANTS DOCTORS NOTE. DEFENDANT DID NOT ATTEND – ADJOURNED TO 11.1.12 AT 2PM UNDER THREAT OF WARRANT FOR ARREST IF NOT ATTEND. NOT ATTEND – ARREST WARRANT ISSUED NOT BACKED BY BAIL – SURRENDERED TO COURT. WARRANT CANCELLED. HEARING 19.1.12 – PLEADED NOT GUILTY – CASE PROGRESSION HEARING ON 30.5.12 AND ANOTHER 24.7.12 - FULL TRIAL 25.7.12 – FOUND GUILTY IN ABSENCE – FINE £4000 PLUS £15 VICTIM SURCHARGE AND £4000 COSTS. INFORMED APPEAL PENDING – FORMS RE APPEAL OUT OF TIME PROVIDED BY COURT.</p> <p>JUDICIAL REVIEW HIGH COURT APPLICATION FOR PERMISSION JULY 2012 TO PURSUE A CLAIM RE DECISION NOT TO WITHDRAW EN/PROSECUTION. 8.2.13 PERMISSION FOR JR REFUSED. RENEWAL APPLICATION MADE ON 15.2.13. MATTER LISTED FOR AN ORAL HEARING ON 10.5.13.</p>			

NEW CLAIM ON BEHALF OF MINORS – DEFENCE LODGED WITH LONDON COUNTY COURT NOVEMBER 2012. MATTER DEFERRED TO READING COUNTY COURT. CASE CONFERENCE 18. 02.2013. MATTER STAYED FOR 28 DAYS TO AGREE DIRECTIONS. DIRECTIONS TO BE FILED BY 2.4.13. COURT DIRECTIONS NOT ADHERED TOO BY CLAIMANT. MATTER STRUCK OUT 2.4.13.

CLUED APPLICATION REF 13/0082/CLUED RECEIVED ON 17.2.13.
 CLUED PART APPROVED ON 26.3.13 FOR USE OF LAWFUL PART OF APPLICATION BUILDING

JR RE DECISION NOT TO WITHDRAW EN/PROSECUTION STRUCK OUT ON 10.5.13 ON BASIS THAT CLAIM WITHOUT MERIT.

THE MORTGAGEE HAS TAKEN POSSESSION OF THE PROPERTY. THERE ARE A NUMBER OF COMPLEX LEGAL ISSUES FOR THE MORTGAGEE TO CONSIDER IN RESPECT OF THE DUTIES IT OWES TO THE LEGAL OWNER. IT IS UNDERSTOOD THAT THE PROPERTY IS BEING AUCTIONED. SEVERAL ENQUIRIES FROM INTERESTED PARTIES HAVE BEEN MADE ABOUT THE NOTICE AND INFORMATION HAS BEEN PROVIDED. 7.8.15 – OFFICERS CONTINUE TO BE IN CONTACT WITH THE MORTGAGEES ABOUT PROGRESS REGARDING THE DISPOSAL OF THE PROPERTY. HOWEVER EXACT DETAILS OF THE POSITION STILL REMAIN CONFIDENTIAL. 18.8.15 – OFFICERS INFORMED PROPERTY SOLD AT AUCTION. ENQUIRIES BEING MADE RE NEW OWNERS AND COMPLIANCE WITH THE ENFORCEMENT NOTICE WILL THEN BE PURSUED. 1.10.15 – CONTACT MADE WITH NEW OWNER WHO WILL BE MEETING WITH OFFICERS IN ORDER TO PROGRESS COMPLIANCE WITH THE ENFORCEMENT NOTICE. 26.11.15 – OFFICERS HAVE BEEN ADVISED THAT THE OWNER HAS NOW ENGAGED A PLANNING AGENT WHO WILL BE SEEKING PRE-APP ADVICE FROM THE COUNCIL. 27.1.16 – CURRENT OWNER NOW SEEKING PRE-APP ADVICE. OFFICERS INFORMED THAT PROPERTY UNDER OFFER VIA AUCTION. 29.3.16 – PROPERTY SOLD AGAIN – ENQUIRIES BEING MADE RE NEW OWNERS. 27.5.16 – NEW OWNERS BEING CONTACTED BY ENF TEAM RE COMPLIANCE WITH ENF NOTICE. 8.6.16 – LETTERS NOW SENT TO NEW OWNERS RE COMPLIANCE WITH ENF NOTICE. AWAIT A REPLY. 12.7.16 – ENF OFFICERS HAD MEETING WITH NEW OWNERS – PROPOSALS TO BE SUBMITTED TO THE COUNCIL.

PROPERTY	SOUTH END COTTAGE, MIDDLE GREEN, WEXHAM, BUCKS SL3 6BS – 14/00004/APPENF.		WEXHAM (1333)
CONTRAVENTION	AUTHORISED	NOTICE SERVED	DATE FOR COMPLIANCE
WITHOUT PLANNING PERMISSION THE ERECTION OF A TWO STOREY OUTBUILDING WITH ASSOCIATED CONCRETE SUPPORTS	7.5.14	9.5.14	19.9.14 (REVISED FOLLOWING APPEAL TO 28.7.15)
REMARKS			
LONG STANDING HISTORY ON SITE. PLANNING BREACHES CONTINUING. ENFORCEMENT NOTICE ISSUED 9.5.14. APPEAL SUBMITTED TO PINS 19.06.14 . WRITTEN REPRESENTATION PROCEDURE REQUESTED BY APPELLANT. PLANNING INSPECTORS SITE VISIT SCHEDULED FOR 21.4.15. 28.4.15 – APPEAL DISMISSED – EN VARIED RE CONCRETE BASE AMENDED TO CONCRETE SUPPORTS. REVISED DATE FOR COMPLIANCE 28.7.15. 10.6.15 – PCN ISSUED AND SERVED IN RESPECT OF ALLEGED UNAUTHORISED USES AND DEVELOPMENT. 3.8.15 – SITE VISIT – EN NOT COMPLIED WITH. PCN REPLIES NOT RECEIVED – TWO CHASER LETTERS SENT. OFFICERS CASE CONFERENCE BEING HELD TO REVIEW FURTHER APPROPRIATE ACTION. 7.9.15 – ON GOING NEGOTIATIONS WITH OWNER OF THE PROPERTY RE COMPLIANCE WITH THE ENFORCEMENT NOTICE. 26.11.15 – OWNER IS UNDERTAKING WORKS TO REMEDY BREACHES AND OFFICERS ARE REGULARLY MONITORING PROGRESS. 1.2.16 – ON GOING MONITORING TAKING PLACE. 27.6.16 – PROSECUTION PROCEEDINGS COMMENCED AGAINST OWNERS RE NON-COMPLIANCE WITH 2014 ENFORCEMENT NOTICE. HEARING DATE – 20 TH JULY 2016. PROSECUTION SUCCESSFUL WITH FULL COSTS BEING AWARDED. FINE OF £210.00 MADE AGAINST EACH DEFENDANT ALONG WITH £25 VICTIM SURCHARGE FINE FOR EACH DEFENDANT. DEFENDANT HAS DEMOLISHED THE UNAUTHORISED BUILDING WITH ONLY A SMALL AMOUNT REMANING. 18.8.16 – FIRST INSTALEMENT OF PROSECUTION COSTS RECEIVED FROM DEFENDANTS. ON-GOING SITE MONITORING AND INVESTIGATION BY ENFORCEMENT OFFICERS. 24.8.16 – WARRANT FOR SV ISSUED BY MAGS COURT. SV ON 16 TH SSEPTEMBER 2016. 16.9. .2016 – OFFICERS REVIEWING EVIDENCE FOLLOWING SV IN ORDER TO RECOMMEND APPROPRIATE ENF ACTION.			

PROPERTY		DORNEY (1337)	
REAR OF THE LAURELS, LAKE END ROAD, DORNEY 11/10117/ENBEOP			
CONTRAVENTION	AUTHORISED	NOTICE SERVED	DATE FOR COMPLIANCE
THE UNAUTHORISED MATERIAL CHANGE OF USE OF THE LAND FROM AGRICULTURAL TO A USE FOR THE STORAGE OF BUILDER'S MATERIALS TOGETHER WITH ASSOCIATED OPERATIONAL DEVELOPMENT UNDERTAKEN TO FACILITATE THE UNAUTHORISED USE COMPRISING THE ERECTION OF A TIMBER SHED; THE CREATION OF AN EARTH BUND; THE CREATION OF AN AREA OF PARKING AND AN ACCESS TRACK BOTH SURFACED WITH SCALPINGS	6.6.15	14.8.15	25.5.16 (REVISED FOLLOWING APPEAL TO 3.10.2017).
THE UNAUTHORISED ERECTION OF A RESIDENTIAL UNIT; A TIMBER SHED WITH A CANOPY ROOF; A TIMBER SHED; THE CREATION OF AN EARTH BUND; THE CREATION OF AN AREA OF PARKING AND ACCESS TRACK BOTH SURFACED WITH SCALPINGS	6.6.15	14.8.15	25.5.16 (REVISED FOLLOWING APPEAL TO 3.10.2017)
REMARKS			
14.8.15 – TWO ENFORCEMENT NOTICES ISSUED AND SERVED. EFFECTIVE DATE – 25.9.2015. 25.9.15 – APPEALS LODGED – GROUNDS –C, D, F AND G – PIN TO CONFIRM WHETHER APPEALS WILL BE DETERMINED BY WRITTEN REPS OR HEARINGS PROCEDURE. 28.10.15 – PIN DECIDED APPEALS TO BE DETERMINED AT AN INQUIRY ON 5 th JULY 2016 - FOR ONE DAY. 5.7.16 – AWAITING APPEAL DECISION. 3.8.16 – APPEALS DISMISSED AND ENFORCEMENT NOTICES UPHELD (AS VARIED). PARTIAL COSTS AWARDED TO THE COUNCIL. <u>17.10.16 – COMPLIANCE WITH NOTICES TO BE MONITORED BY ENFORCEMENT TEAM.</u>			

PROPERTY		BEACONSFIELD	
14 WOOBURN GREEN LANE, HOLTSPUR, BEACONSFIELD, BUCKINGHAMSHIRE HP9 1XE		SB000216	
CONTRAVENTION	AUTHORISED	NOTICE SERVED	DATE FOR COMPLIANCE
WITHOUT PLANNING PERMISSION, THE ERECTION OF A FRONT PORCH, TWO STOREY SIDE EXTENSION AND PART TWO STOREY/PART SINGLE STOREY REAR EXTENSION.	21.4.16	27.4.16	8.12.16 (SUBJECT TO APPEAL)
REMARKS			
27.4.16 – ENFORCEMENT NOTICE ISSUED AND SERVED. EFFECTIVE DATE – 8 JUNE.2016. 23.6.16 - APPEAL FORM RECEIVED - GROUNDS A, C, F & G LISTED. AWAIT CONFIRMATION FROM PIN THAT APPEAL IS ACCEPTED ON THE GROUNDS STATED. 13.7.16 - AWAITING CONFIRMATION OF PROPOSED DATE FOR HEARING. 19.8.16 – HEARING LISTED FOR 1 DAY ON 15.11.16 AT 10AM.			

PROPERTY		WEXHAM	
LAND AT ONE ACRE COTTAGE, FRAMEWOOD ROAD, WEXHAM, BUCKINGHAMSHIRE, SI2 4QS		SB000080	
CONTRAVENTION	AUTHORISED	NOTICE SERVED	DATE FOR COMPLIANCE
WITHOUT PLANNING PERMISSION, THE ERECTION OF AN OUTBUILDING.	12.7.16	13.7.16	14.12.16
REMARKS			
13.7.16 – ENFORCEMENT NOTICE ISSUED AND SERVED. EFFECTIVE DATE – 14.9. 2016. <u>17.10.16 – SUBSTANTIAL COMPLIANCE WITH ENFORCEMENT NOTICE ACHIEVED.</u>			

PROPERTY	APEX WORKS, WILLOW AVENUE, NEW DENHAM, BUCKS UB9 4AF		DENHAM SB000371
CONTRAVENTION	AUTHORISED	NOTICE SERVED	DATE FOR COMPLIANCE
WITHOUT PLANNING PERMISSION, THE MATERIAL CHANGE OF USE FROM TWO WORKSHOPS WITH ANCILLARY OFFICES WITHIN CLASS B1(C) TO A SUI GENERIS HOUSE IN MULTIPLE OCCUPATION AND WORKSHOP.	3.8.16	4.8.16	15.3.2017 (SUBJECT TO APPEAL)
REMARKS			
4.8.16 - ENFORCEMENT NOTICE ISSUED AND SERVED. EFFECTIVE DATE – 15.9. 2016. 14.9.16 - APPEAL RECEIVED - GROUND A – WRITTEN REPS REQUESTED. AWAIT CONFIRMATION FROM PIN THAT APPEAL IS VALID. 17.10.16 – STIL AWAIT CONFIRMATION FROM PIN THAT APPEAL IS VALID.			

PROPERTY	61 SAVAY CLOSE, DENHAM, BUCKS UB9 5NQ		DENHAM SB000075
CONTRAVENTION	AUTHORISED	NOTICE SERVED	DATE FOR COMPLIANCE
WITHOUT PLANNING PERMISSION, CONSTRUCTION OF BALCONY AT THE REAR OF THE DWELLING HOUSE.	31.8.16	2.9.16	15.1.2017
REMARKS			
2.9.16 - ENFORCEMENT NOTICE ISSUED AND SERVED. EFFECTIVE DATE – 15.10. 2016.			

SUBJECT:	PLANNING APPEALS
REPORT OF:	Head of Sustainable Development Prepared by - Development Management

Appeal Statistics for the period 1 April 2016 - 30 September 2016**Planning appeals allowed (incl enforcement)**

23.7% (9 out of 38) against a target of 30%.

Total appeals allowed (Planning, enforcement trees and other appeals):

26.8% (11 out of 41). No target set.

Percentage of appeals allowed in accordance with officer recommendation, despite decision to refuse by Members:

50% (1 out of 2). No target set.

Appeals Lodged**Planning Appeals Lodged**

		<u>Date Received</u>
(a)	16/00659/FUL Sorbon Estates Single storey side extension and external alterations. Sorbon, 24-26 Aylesbury End, Beaconsfield	19/09/2016
(b)	16/00828/CLOPED Ms M Heath Application for a Certificate of Lawfulness for proposed: Outbuilding with associated hardstanding and alterations to access. The Lodge, Ashmead Drive, Denham	20/09/2016
(c)	16/00794/FUL Mr N Manley Single storey rear extension. Two Gates, Village Road, Dorney	21/09/2016
(d)	16/01298/FUL Mr Ricky Bika Front porch. Part single part two storey part first floor front/side/rear extension incorporating integral garage. 41 St Huberts Close, Gerrards Cross	29/09/2016

Enforcement Appeals Lodged

		<u>Date Received</u>
(a)	16/0004/APPENF Kincar Estates Ltd Appeal against enforcement notice alleging: Without planning permission, the material change of use of the Land from two workshops with Apex Works, Willow Avenue, New Denham	19/09/2016

Appeal Decisions

Planning Appeal Decisions		<u>Date of decision</u>
(a) 15/01592/FUL Mr N Jackson	Replacement of existing barn with detached ancillary dwelling. Fulmerfields, Fulmer Road, Gerrards Cross Appeal Dismissed- D	19/09/2016
(b) 16/00237/FUL Mr M Gill	Outbuilding Shergill Cottage, One Pin Lane, Farnham Common <u>Appeal Allowed - CC</u>	7/10/2016

Note: The letter(s) shown after the decision indicate:-

- CO - Committee decision to refuse permission on officer recommendation
- CC - Committee decision to refuse permission contrary to officer recommendation
- D - Delegated officer decision to refuse permission
- ND - Appeal against non-determination of application

SCHEDULE OF OUTSTANDING MATTERS

HEARINGS

DATE	PREMISES
15 th NOVEMBER 2016	<p><u>14 Wooburn Green Lane, Holtspur, Beaconsfield</u></p> <p>Enforcement Notice Appeal - Grounds - A, C, F and G - Re: The erection of a front porch, two storey side extension and part two storey/part single storey rear extension; and</p> <p>Planning appeal against refusal of 16/00709/FUL (Retrospective application for front porch and part first floor/part two storey side/rear extension to include demolition of single storey rear extensions.)</p>

Officer Contacts:	<p>Jane Langston 01895 837285</p> <p>planning.appeals@southbucks.gov.uk</p>
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SUBJECT:	Land and buildings at Al Muhassan Mosque (Mosque Al-Mohsin), Windmill Lane, Fulmer, Bucks SL3 6HF
REPORT OF:	Officer Management Team - Director of Services Prepared by - Planning Enforcement Officer - Tim Nicholson

1. Purpose of Report

- 1.1 The purpose of this report is to seek authority to issue and serve an Enforcement Notice/s in respect of land and buildings at Al Muhassan Mosque, Windmill Road, Fulmer, SL3 6HF ("the site") as is shown edged in black on the plan attached to this report as Appendix 1 ('the plan').

2. Links to Council Policy Objectives

- 2.1. The recommendations contained in this report are directly linked to the Corporate Plan Service Strategy of upholding the policies in the Local Plan and Core Strategy.

3. Relevant Planning History and Background Information

- 3.1 The site is situated within the Metropolitan Green Belt and is located on the Eastern side of Windmill Lane, Fulmer, on land also known as the Minor Land of Fadak. The lawful use of the site and the main building is for religious purposes (Class D1 Use). The use of the site is subject to a Section 106 Agreement dated 21st December 1990 which restricts further development and extensions at the site. This agreement was varied on 17th July 1992 regarding alterations and extensions to the main building. It is understood that the site and the main building thereon has operated as a Mosque (Class D1 Use) since 2013 ("the Mosque") and thus it is not alleged that an unauthorised material change of use has taken place.

- 3.2 There have been three refusals of planning applications that are relevant to this report:

3.2.1 15/01190/FUL was a retrospective planning application for a single storey outbuilding to the rear of the Mosque with a covered walkway. This outbuilding is currently used for offices and a recording studio. The appeal against this refusal was dismissed (Appeal A Ref: APP/N0410/W/16/3144796) on 3 August 2016. A copy of the Inspectors Decision letter is attached as Appendix 2. This unauthorised development was substantially completed on 1 June 2015 and is shown in the approximate position marked 1 on the plan.

3.2.2 15/01191/FUL was a retrospective planning application to convert a temporary container into a permanent outbuilding used as an office (outdoor site management room). The appeal against this refusal was dismissed (Appeal B Ref: APP/N0410/W/16/3144799) also on 3 August 2016 as part of the abovementioned decision Letter. This unauthorised development was

substantially completed on 28 May 2015 and is shown in the approximate position marked 3 on the plan.

- 3.2.3 The most recent application on the site was a retrospective planning application 16/01127/FUL for an open-air prayer area, importation of materials and engineering operations to re-profile the land, construction of base and protective umbrellas. This application was refused on 19 August 2016. This unauthorised development was not substantially completed when Officers visited the site on 29 July 2016 and is shown in the approximate position marked 4 on the plan ("open-air prayer area").
- 3.3 The Applicants in support of these retrospective planning applications referred to Very Special Circumstances relating to the development in that the facility is the first Mosque of its type in the United Kingdom having roughly 1000 followers nationwide. That the development provides essential facilities for the Mosque which delivers a cultural facility which the Community needs. Regarding the need for the open air prayer area the Applicants stated that the Community is required to pray outside to enable proper spiritual connection. The Planning Inspector in his decision letter dismissing the appeals against the 2015 planning application refusals referred to the Appellant stating that this development was driven by the desire to integrate and provide community cohesion.
- 3.4 The Planning Enforcement investigation of the site confirms that there are other developments on the site for which no planning approval exists. These include the construction of a wooden building to the south east of the Mosque shown in the approximate position marked 2 on the plan which appears to have been substantially completed in 2015, walls, paving and steps associated with the open-air prayer area marked 4 on the plan, the creation of an outdoor exercise area including the laying of materials and the erection of exercise equipment shown in the approximate position marked 5 on the plan ("outdoor exercise area") which was first noted by Officers on 26th July 2016 and also the erection of fencing and walls. These unauthorised developments are not considered appropriate in the Green Belt and it is recommended that enforcement action is taken against these developments.
- 3.5 It would appear that the Mosque has been extended to the rear (east elevation) but these two minor extensions are not considered unacceptable in planning terms and it is not recommended that enforcement action is taken against these developments.
- 3.6 Photographs of the unauthorised development taken on 26 July 2016 are attached to this report at Appendix 3.
- 3.7 The owners and occupiers of the site have been informed in writing that authority is being sought to take enforcement action seeking the removal of the unauthorised development from the site.
- 3.8 Any representations received as a result of these letters will be made available when the decision whether or not to take enforcement action is being made.

4. Reasons for Issuing the Notice/s

- 4.1 It appears to the Council that the unauthorised development has occurred within the last four years.
- 4.2 The unauthorised development is situated within the Metropolitan Green Belt, as shown in the South Bucks District Local Plan (adopted March 1999). Within the Green Belt there is a presumption against development other than for a limited number of specified purposes, as stated in paragraphs 89 and 90 of the National Planning Policy Framework or except in Very Special Circumstances. The unauthorised development does not constitute one of the specified exceptions and represents inappropriate development in the Green Belt, which by definition is harmful. Furthermore, the unauthorised development is harmful to the openness of the Green Belt. It has not been demonstrated that any Very Special Circumstances exist that would outweigh the harm by reason of inappropriateness and any other harm of such a development. As such the unauthorised development is contrary to the policies of the National Planning Policy Framework, which seek to protect the openness of the Green Belt and to policy GB1 of the South Bucks District Local Plan (adopted March 1999).
- 4.3 The development to create the open air prayer area, the importation of materials and engineering operations to re-profile the land, and the erection of the eight permanent umbrellas, the construction of a metal base and a concrete base and its associated steps, paving and walls is located close to the boundary of a neighbouring residential property, The White House. This unauthorised development, by virtue of its height, scale and proximity to this neighbouring dwelling house, appears visually intrusive and overdominant to the occupants of this neighbouring property, resulting in a loss of privacy to the same, to the detriment of their residential amenities. As such, this unauthorised development is contrary to policy EP3 of the South Bucks District Council Local Plan (adopted March 1999).
- 4.4 It is not considered that planning permission should be given because planning conditions could not overcome the objections to the unauthorised development.

5. Resource, Risk and Other Implications

- 5.1 Human Rights issues.
- 5.1.1 The taking of enforcement action would amount to an interference with the Human Rights of the owners and/or occupiers of the site as set out in the Human Rights Act 1998 ("the HRA") and the European Convention on Human rights and fundamental Freedoms ("the ECHR"). The Council must act compatibly with the rights of the owners and occupiers of the site as protected by the HRA and the ECHR and must take into account the impact that a decision to take enforcement action will have on those rights.

- 5.1.2 The relevant Articles of the HRA which need to be considered are - Article 6: The right to a fair hearing. This is an absolute right. The owners and occupiers of the site are aware that the unauthorised development is a breach of planning control and that the Council is considering taking enforcement action in respect thereof and have been given the opportunity of making written representations. The availability of the statutory right of appeal regarding the recommended Enforcement Notice/s together with the further statutory right of appeal against the decision of the Secretary of State for Communities and Local Government meets the requirements to ensure a fair hearing for the owners and occupiers.
- 5.1.3 Article 8 and Article 1 of the First Protocol: The right to respect for private/family life and the protection of property. This is a qualified right and the Council can only interfere with this right where this:-
- (a) Is in accordance with the law;
 - (b) Serves a legitimate aim; and
 - (c) Is necessary and proportionate in the particular circumstances of the case.

In respect of (a) above, as long as the decision to take enforcement action is taken pursuant to the provisions of Part VII of the 1990 Act, the action will be taken in accordance with the law.

In respect of (b), taking enforcement action against breaches of planning control serves a legitimate aim, namely the preservation of the environment in the wider public interest. This has been confirmed by decisions of the European Court of Human Rights in the cases of Buckley v United Kingdom and Chapman v United Kingdom.

Thus the only real issue is (c), whether enforcement action is necessary and proportionate in the particular circumstances of this case. In this respect, the Council needs to consider whether the objective can be achieved by a means which is less interfering with an individual's rights and whether the measure has an excessive or disproportionate effect on the interests of the affected individual(s). The objective in this case is the proper enforcement of planning control in a Green Belt Area. It is not considered that there is any other means by which this objective can be secured which interferes less with the rights of the owner/occupants. Nor is it considered that the service of an enforcement notice/s would have an excessive or disproportionate effect on their rights.

5.2 Public Sector Equality Duty

- 5.2.1 A decision to issue an enforcement notice/s will also engage the public sector equality duty within section 149(1) of the Equality Act 2010 which includes a General Duty to have "*due regard*" to the following three aims, namely the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5.2.2 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

5.2.3 The public sector equality duty covers the following protected characteristics:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race – this includes ethnic or national origins, colour or nationality
- Religion or belief – this includes lack of belief
- Sex
- Sexual orientation

The main protected characteristic relevant to the proposed enforcement action is that of religion or belief as the unauthorised development is in connection with the use of the site as a Mosque (D1 Use Class) for the Khodam Al Mahdi Organisation of the Muslim faith.

The requirement to remove the unauthorised development from the site as proposed by the recommended enforcement notice/s will likely impact on many persons of Muslim faith particularly those associated with the Khodam Al Mahdi Organisation. It would therefore constitute indirect discrimination unless the Council can show that it is a proportionate means of achieving one or more legitimate aims. This is because indirect discrimination occurs regardless of the intentions of the person applying a provision, criterion or practice if that provision, criterion or practice puts persons who share a

protected characteristic at a particular disadvantage when compared to persons who do not share it.

- 5.2.4 In this case the unauthorised development is considered to be unacceptable and detrimental for the reasons given in paragraphs 4.1 to 4.4 above. Enforcement action is also considered to be a proportionate response in order to achieve a legitimate aim and therefore the tests required by the public sector equality duty will be met.

5.3 Conclusion

- 5.3.1 The use of an enforcement notice/s is considered to be proportionate to achieving the legitimate aim of ensuring the proper enforcement of planning control and the continued protection of the Green Belt from inappropriate development given that the persons served with the enforcement notice/s have a statutory right of appeal and that appeal could result in the enforcement notice/s being quashed or varied. Matters relevant to Human Rights and the Public Sector Equality Duty would also be further considered as part of any appeal.

5.4 Resources

- 5.4.1 To date to pursue this matter internal resources have been committed and will continue to be committed to issue and serve the recommended enforcement notice/s. These related costs are part of the normal work of the Enforcement Section and legal support.
- 5.4.2 Should the statutory right of appeal regarding the enforcement notice/s be exercised, additional resources and costs would be involved in defending the same. The level of resources and costs involved will depend on whether any appeal is determined by way of written representations, an informal hearing or a public inquiry. If an appeal proceeds to a public inquiry, then Counsel would be engaged to present the Council's case. Officers expect these costs to be met from within existing budgets. Appeal costs are not usually recoverable by the successful party. However, in certain circumstances, the parties can make an application for costs which would be pursued if the appropriate circumstances arise. Members will be kept informed of any appeal through the Enforcement Progress Report

6. **Recommendation**

It is recommended that:

- 6.1 An Enforcement Notice/s relating to the unauthorised development comprising the erection of an outbuilding and associated covered walkway (number 1 on the plan), the erection of further outbuildings (numbers 2 and 3 on the plan), the creation of the open-air prayer area (number 4 on the plan), an outdoor exercise area (number 5 on

the plan) and the erection of fencing and walls be issued and served pursuant to Section 172 of the Town and Country Planning Act 1990 regarding the breaches of planning control on land at Al Muhassan Mosque, Windmill Road, Fulmer, SL3 6HF for the reasons set out in this report.

- 6.2 In the event that the Enforcement Notice/s is/are not complied with, that authority be given to the Head of Legal and Democratic Services to take such legal proceedings as may be considered appropriate to secure compliance therewith.

Officer Contact:	Tim Nicholson 01895 837328 tim.nicholson@southbucks.gov.uk
Background Papers:	Head of Sustainable Development Instructing Memorandum received 28.9.16. Planning Application files references 15/0119/FUL, 15/001190/FUL and 16/01127/FUL



South Bucks
District Council

Enforcement Notice Plan

Mosque Al Mohsin, Windmill Road, Fulmer

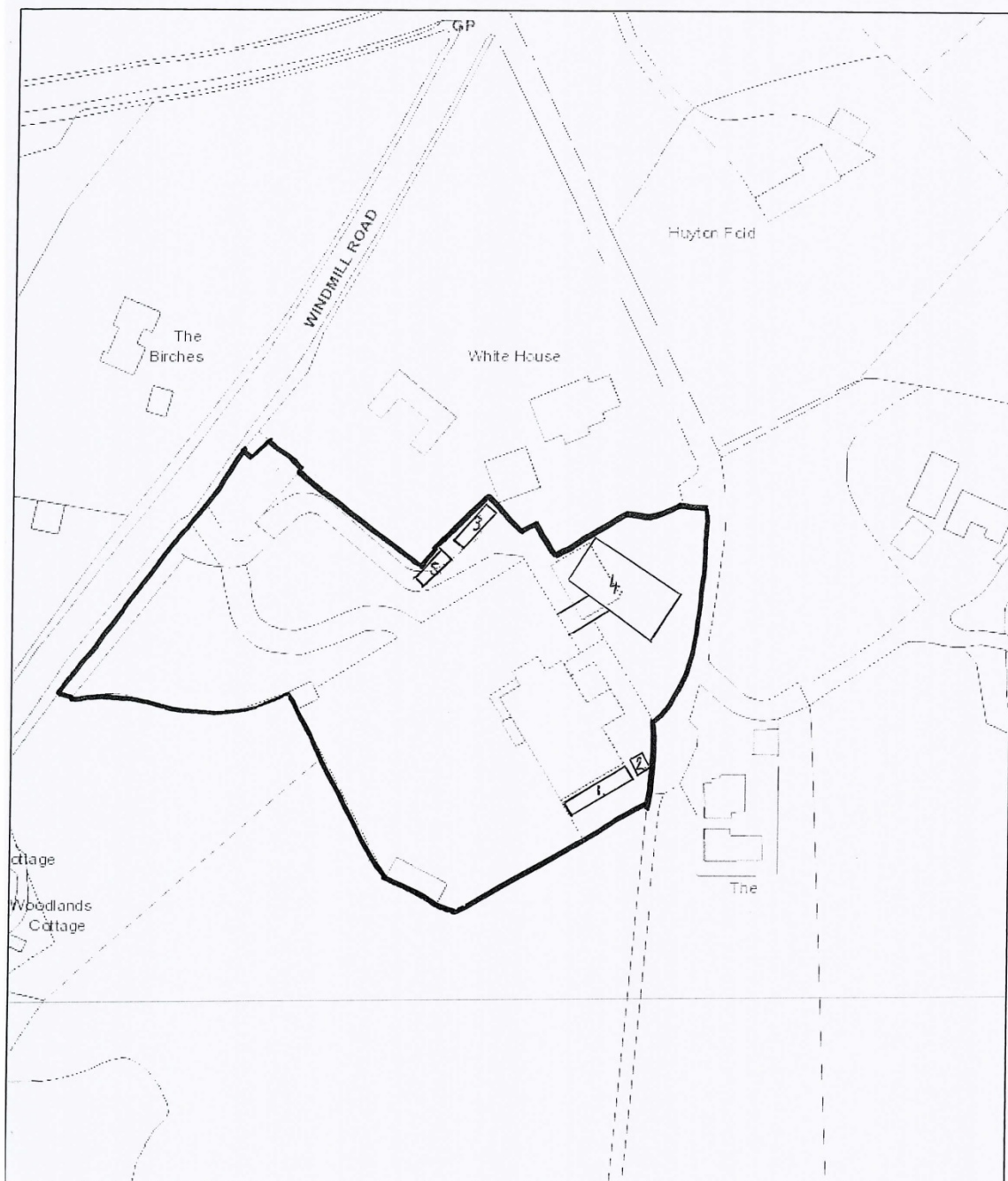
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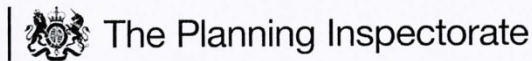


Location Plan

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0 5 10 20 30 40
Meters



APPENDIX 2

Appeal Decisions

Site visit made on 7 June 2016

by David Cliff BA Hons MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 03 August 2016

Appeal A Ref: APP/N0410/W/16/3144796

Mosque Al Mohsin, Windmill Road, Fulmer, Buckinghamshire SL3 6HF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Hamid Al-Tahir (Khodam Al-Mahdi Org) against the decision of South Bucks District Council.
 - The application Ref 15/01190/FUL, dated 10 June 2015, was refused by notice dated 18 August 2015.
 - The development is 'Retrospective planning application for outdoor building to the rear of the existing D1 use building'.
-

Appeal B Ref: APP/N0410/W/16/3144799

Mosque Al Mohsin, Windmill Road, Fulmer, Buckinghamshire SL3 6HF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Hamid Al-Tahir (Khodam Al-Mahdi Org) against the decision of South Bucks District Council.
 - The application Ref 15/01191/FUL, dated 11 June 2015, was refused by notice dated 18 August 2015.
 - The development is 'Retrospective planning application to convert the on site container into outdoor site management room'.
-

Decisions

1. Appeal A is dismissed and appeal B is dismissed.

Preliminary Matters

2. As set out above there are two appeals on this site. I have considered each appeal on its individual merits as a separate entity. However, to avoid duplication, I have dealt with both the schemes within this single decision document.
3. Both appeals A and B relate to developments that have already been carried out on the site. I understand that the development the subject of appeal B was previously in existence on the site as a container and has subsequently been re-located and converted into the building I saw on my site visit.

Main Issues

4. The Council and the appellant agree that the buildings the subject of both appeals A and B are inappropriate development in the Green Belt taking into
-

account paragraphs 89 and 90 of the National Planning Policy Framework ('the Framework') and from the evidence before me I concur with that position. The main issues for both appeals are therefore:

- The effect of the development on the openness of the Green Belt;
- Whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

5. The Framework makes clear that the Government attaches great importance to Green Belts and that their fundamental aim is to prevent urban sprawl by keeping the land permanently open, safeguarding the countryside from encroachment and that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Policy GB1 of the South Bucks District Local Plan (March 1999) predates the Framework though its aims are generally consistent with it, albeit that the Framework refines the types of development which are inappropriate or not inappropriate (paragraphs 89 and 90).

Openness

6. Openness is an essential characteristic of the Green Belt. The building the subject of appeal A is lower in height than the main mosque building and is separated from the car park by an existing enclosure. Nevertheless, notwithstanding that it is significantly smaller than the main building, it increases the built footprint upon the site. Whilst its visual impact in views from outside the site would be limited and it would be seen against the backdrop of the main building, it reduces the openness of the Green Belt.
7. Appeal B relates to a former container which has been clad in wood with windows inserted in its front elevation. It is used as a study room and associated office. Though it is significantly smaller than the main mosque building, it increases the amount of buildings upon the site. Whilst it has a flat roof which projects to only a limited degree above the adjacent wall and is largely unseen from outside the appeal site, it reduces the openness of the Green Belt. Although it is timber clad providing a semi-rural appearance and breaks up the view of the adjacent brick wall, such factors do not mitigate against its adverse impact on openness.
8. In arriving at my conclusions on openness I have considered the two previous appeal decisions¹ referred to by the Council, and whilst they relate to different forms of developments at other locations in the District, my findings are generally consistent with them on the concept of openness.

Other considerations

9. The site provides a religious facility and is the first mosque of its type in the United Kingdom, the Khodam Al-Mahdi Organisation having approximately 1000 followers throughout the United Kingdom. The appellant states that the developments the subject of both appeals are driven by the desire to integrate and provide community cohesion. They are supported by one of the aims of

¹ APP/N0410/A/12/2168134 & APP/N0410/A/14/2229108

the Framework to deliver cultural facilities which the community needs and to plan positively to accommodate special community groups and their religious and cultural needs.

10. The building the subject of appeal A enables specialist television broadcasting to followers who are unable to attend in person at any particular time and is used to transmit teachings and information for the benefit of those living outside the UK.
11. The appellant states that the appeal B building, used as a prayer/study room and associated office needs to be isolated from the main building and the activities that take place therein. Those studying use the facility for four days a week for periods of four hours each session.
12. The use of both buildings the subject of the appeals A and B enhance and support the existing use of the site as a place of worship, to which I afford considerable weight in both cases taking account of the support for such provision in the Framework.
13. The appellant argues in support of both developments that the openness of the Green Belt is not unduly prejudiced by either. Nevertheless, as I have set out above under 'Openness', both developments impact on openness by increasing the amount of built development upon the site and I must give substantial weight to the harm resulting. Whilst the appellant says that both buildings are well located in minimising their visual impact, this does not negate their impact on openness in Green Belt terms in either case and I also note from my site visit that both buildings are visible from outside the site, albeit to a limited degree. I therefore give this consideration only minimal weight in both cases.
14. The appellant states that the appeal B structure has been on site for a number of years and that its existence on the site, as a container, preceded the appellant's site purchase. Based on Google Earth information the appellant says that it appears to have been placed on site between 2008 and 2013, though the June 6th 2013 extract shows it to be located in a different position on the site in comparison to its current location. The appellant states that there is a strong argument to suggest a fall back position of a possible Certificate of Lawfulness. Nevertheless, based on the information before me, including the 2013 Google Earth extract, it is not certain the building has been in its current position for four years, nor is it absolutely certain how long it has been located on the site at all in either its current or previous form. The Council also says that it did not previously constitute development as it was a moveable structure. Whilst from the evidence before me it is not possible to ascertain its form as previously sited, from my observations at my site visit the structure in its current position is fixed to the ground and appears to amount to operational development. Furthermore, a Certificate of Lawfulness has been neither sought nor granted. I therefore give only minimal weight to the appellant's argument in this respect.
15. In respect of both developments having already been constructed, I note that the appellant says that the Organisation has never wished to act contrary to planning law and that there has never been any intention to avoid the need for planning permission. Whilst the appellant also states that any future expansion of the use and structures within the site is unlikely, it remains for me to consider both existing developments against the relevant policies and material

considerations. These matters have therefore had no bearing on my determination of either appeal.

16. I note that the appellant states that the use of the site does not generate noise or disturbance, including any call to prayer or any form of outside sound projection, and that the use of the two outbuildings is for quiet and discreet purposes. However, this does not alter the implications of either development upon the openness of the Green Belt and the lack of harm in terms of noise or disturbance does not add any weight in favour of either appeal A or B.
17. The Council has also objected to both developments (appeals A and B) on the basis that granting permission would be likely to lead to further applications for similar developments which would be difficult to resist. Whilst the Council refers to a previous appeal decision² on a different site which supports its argument, from the limited information available I am mindful that the circumstances of that appeal are different to the appeals I am now considering. Moreover, each case falls to be considered on its individual merits which can vary between different developments. In any case, as I have dismissed both appeals, the Council's concerns regarding precedent would not arise.
18. Interested parties have made representations that other works have also taken place at the site. However, these are not for my consideration and my decision relates only to the two appeal buildings.

Conclusion

19. There is agreement between the main parties that both developments are inappropriate development, which by definition is harmful to the Green Belt. I have also concluded that both proposals harm the openness of the Green Belt. Paragraph 88 of the Framework states that substantial weight should be given to any harm to the Green Belt. I have not identified any other harm.
20. For both appeals I have given careful consideration to the other considerations in favour of the proposals including the expansion of the existing religious and cultural facility and the provision of associated services. However, I find that in either case, such considerations, either individually or cumulatively, do not clearly outweigh the harm to the Green Belt. Consequently, for both appeals A and B the very special circumstances necessary to justify either development do not exist.
21. The developments the subject of both appeals A and B are therefore contrary to the Green Belt aims of policy GB1 of the South Bucks District Local Plan (March 1999) and the Framework.
22. In considering both appeals, I have had due regard to the Public Sector Equality Duty contained in the Equality Act 2010. My decisions are based upon the relevant local and national planning policies and other material considerations, with the harm resulting to the Green Belt not being clearly outweighed by the other considerations in either case.

² APP/N0410/D/14/2229223

Appeal Decisions APP/N0410/W/16/3144796 & APP/N0410/W/16/3144799

23. For the above reasons, and having had regard to all other matters raised, I conclude that both appeals A and B should be dismissed.

David Cliff

INSPECTOR

APPENDIX 3



1.Outbuilding with covered walkway



2.Outbuilding



3.Outbuilding



4.Open-air prayer area



4. Open-air prayer area.



5. Exercise area

SUBJECT:	South End Cottage, Middle Green, Wexham, SL3 6BS
REPORT OF:	Officer Management Team- Director of Services Prepared by- Planning Enforcement Officer- Tim Nicholson

1. Purpose of Report

- 1.1 The purpose of this report is to seek authority to issue and serve Planning Enforcement Notice(s) in respect of the unauthorised erection of buildings/structures and use of land and buildings as a mixed residential/storage use at South End Cottage, Middle Green ("the site") as shown edged in black on the plan attached to this report as Appendix 1. Also to seek an extension of the authority to issue and serve a Notice pursuant to s215 Town and Country Planning Act 1990 ('s215 Notice') in relation to the whole site, rather than part of the site.

2. Links to Council Policy Objectives

- 2.1. The recommendations contained in this report are directly linked to the Corporate Plan Service Strategy of upholding the policies in the adopted South Bucks District Local Plan and Core Strategy.

3. Relevant Planning History and Background Information

- 3.1 The site is located on the Western side of Middle Green and is situated within the Metropolitan Green Belt. The site was formerly occupied by a single dwelling house, now demolished. Planning approval was granted for a replacement dwelling with basement, reference no. 12/01335/FUL. This required all of the outbuildings on the site to be removed prior to commencement of development. The Decision Notice is attached as Appendix 2.

Variation of condition approval 13/00460/VC (Appendix 3) varied conditions 6 and 7 of planning permission 12/01335/FUL to:

- Require the demolition of the outbuilding known as the 'Summerhouse' (labelled 2 on the Plan at Appendix 1) prior to any development taking place on the site, and the demolition materials were to be removed from the site;
- Allow the temporary retention of the outbuilding known as the 'Coach House' until substantial completion of the replacement dwelling house on the site. The applicant had indicated that the Coach House was to be used for storage during the construction of the replacement dwelling;
- Allow the permanent retention of the outbuilding known as 'The Workshop' (labelled 5 on the Plan at Appendix 1) excluding the 'tool store', which was to be demolished prior to commencement of development and the materials removed from the site.

Both permissions also removed permitted development rights, in order to prevent outbuildings incidental to the enjoyment of the dwelling house from being constructed within the curtilage of the new dwelling house.

- 3.2 It is the Officers' opinion, having investigated case law, that the demolition of the original dwelling house is sufficient to be considered implementation of the planning permission. As the dwelling house on the land has been demolished there are no 'permitted development rights' that would accrue to such a dwelling house under Part 1 of Schedule 2 of the General Permitted Development Order 2015 in terms of either the erection of buildings or uses of land.
- 3.3 The Summerhouse, (labelled 2 on the Plan at Appendix 1) is being used as a single dwelling house, for which no planning permission exists. This building should have been demolished prior to commencement of development. The Coach House, which could have remained until completion of the development has however been demolished. The tool store part of the Workshop appears to have been demolished and the remainder of the Workshop is being used as a workshop and tool store.
- 3.3 The land to the rear of the site is believed to be in equine use and the immediate area retains a rural character. The site has large detached dwelling houses to both flank boundaries and is considered to be within the setting of the adjacent Listed Building (the Manor House with its lodge and associated buildings).
- 3.4 A Planning Enforcement investigation reference 13/10114/ENBEOP into the erection of a two storey outbuilding with an associated concrete base resulted in the issuing of an Enforcement Notice on 8 May 2014. This Notice was the subject of an Appeal but was upheld with a very minor variation regarding the wording relating to the concrete base. Subsequently this Notice came into effect but was not complied with. Accordingly the owners of the land were successfully prosecuted for non-compliance. The majority of the structure was eventually removed, although it would appear the front porch remains. There is also a container that has been linked to the structure and which is being used to house a boiler, chest freezer, washing machine and tumble drier. (labelled 3 on the Plan at Appendix 1).
- 3.5 There are two open sided structures which have been erected in breach of planning control and which are being used to store vehicles, vehicle parts and equipment for work thereon. These are labelled 1 and 4 on the Plan at Appendix 1.
- 3.6 There is a scaffold structure on the southern boundary of the site, which is not facilitating any building works. This structure is being used to store building materials, including rolls of building insulation and planks. This structure is also being used to hang two large tarpaulins to the front and rear of the neighbouring dwelling house. Adjacent to this, steel poles and pipes are being stored in both upright and horizontal positions.
- 3.7 There are 11 shipping containers on the site which are being used for the storage of motor vehicle parts, tyres, tools and equipment. Two shipping containers could not be accessed and Officers were told that these contained household storage (even though

the Coach House was supposed to have been retained for this purpose). There are numerous motor vehicles on site, particularly Land Rovers as well as large numbers of vehicle chassis, axels, motors and gear boxes, vehicle body parts, trim, tail gates and plastic pipes and ducts from motor engines.

- 3.8 There are building materials on the site including steel joists, rolls of insulating fibre, sheets of insulating board being stored on top of the former porch/container housing the boiler room, large bags of sand and stacks of bricks in plastic wrapping. There are also scaffolding poles on the site as well as numerous ladders. There are two concrete mixers on site and two fork lift trucks on site. Some of the materials, such as the rolls of fibreglass, are water damaged and will be of no use for building in the future. There is no building work currently being carried out on the site and given the substantial quantity of stored materials on the site there is no room to build the new dwelling.
- 3.9 Photographs of the site taken on 16 September 2016 are attached to this report as Appendix 4.
- 3.10 Complaints from neighbours have been received regarding the general state of the site and use for storage. The condition of the land is one where it clearly is having a substantial impact on the amenities of neighbours and harm to the area in general.
- 3.11 It is considered that the site is currently being used unlawfully as a mixed use comprising residential, the storage of car parts (which may be associated with car repairs) and the storage of building materials not associated with the construction of a dwelling house on the Land.
- 3.12 Delegated authority was granted on 21 June 2016 to issue a s215 Notice in relation to the part of the site visible from the highway, as it was considered that the amenity of the area was being adversely affected by the appearance of the site. The amount of materials and the untidy and haphazard nature in which they were stored, as well as the structures that had been erected/constructed, was unattractive and was considered to have a detrimental and adverse impact on the character and appearance of the area.
- 3.13 Whilst the s215 Notice was being drafted, investigations continued and a warrant was obtained to enter the site. Following the warrant being executed it became apparent that the whole of the site was adversely affecting the amenity of the area, as demonstrated in the photographs at Appendix 4.

4. Reasons for Issuing the Notices include:

- 4.1 The unauthorised developments are situated within the Metropolitan Green Belt, as shown in the South Bucks District Local Plan (adopted March 1999). Within the Green Belt there is a presumption against development, including the material change of use of land, other than for a limited number of specified purposes, as stated in paragraph 89 of the National Planning Policy Framework or except in very special circumstances. These unauthorised developments, including the change of use of the

site, do not constitute one of the specified exceptions and represent inappropriate development in the Green Belt, which by definition is harmful. No very special circumstances have been advanced that would clearly outweigh the harm to the Green Belt to warrant a reversal of Central Government and local planning policies for the Green Belt. As such the unauthorised development is contrary to Section 9 of the National Planning Policy Framework, policy GB1 of the South Bucks District Local Plan (adopted March 1999) and to Core Policy 9: Natural Environment of the South Bucks Core Strategy – adopted February 2011.

- 4.2 The on-going use of a building as a single dwelling house, if permitted to be retained on site, would lead to the provision of a second dwelling house at this site, which would amount to a cramped form of overdevelopment to the detriment of the residential amenities of the occupants of both neighbouring dwelling houses and to the character and amenities of the locality. Furthermore, this unlawful development amounts to inappropriate development in the Green Belt which by definition is harmful and no very special circumstances have been advanced that would clearly outweigh the harm to the Green Belt to warrant a reversal of Central Government and local planning policies for the Green Belt. Consequently, the unlawful use of this building is contrary to Section 9 of the National Planning Policy Framework and policies GB1, EP3 and H9 of the South Bucks District Local Plan (adopted March 1999).
- 4.3 The open storage of building materials, vehicles and vehicle parts, plant, shipping containers and general household items and waste has, by virtue of their detrimental impact on the appearance of the site, resulted in the unlawful development impacting on the residential amenities of the occupants of the neighbouring properties and on the locality in general, contrary to policy EP3 of the South Bucks District Local Plan (adopted March 1991).
- 4.4 The site lies adjacent to the listed Manor House and its Lodge and the present condition of the site as a consequence of the unlawful developments detracts from and harms the setting of these listed buildings contrary to policy CP8 of the South Bucks Local Development Framework Core Strategy (adopted February 2011) and Section 12 of the National Planning Policy Framework.

5. Resource, Risk and Other Implications

- 5.1 The taking of enforcement action would amount to an interference with the Human Rights of the owners and or occupiers of the site as set out in the Human Rights Act 1998 (“the HRA”). The Council must act compatibly with the rights of the owners and occupiers of the site and must take into account the impact that a decision to take enforcement action will have on those rights.
- 5.2 The relevant Articles of the HRA which need to be considered are -

5.2.1 Article 6: The right to a fair hearing. This is an absolute right. The owners and occupiers of the land are aware that the unauthorised development is a breach of planning control and that the Council is considering taking enforcement action in respect thereof and have been given the opportunity of making written representations. The availability of the statutory right of appeal following the issuing of any Enforcement Notice together with the further statutory right of appeal against the decision of the Secretary of State for Communities and Local Government meets the requirements to ensure a fair hearing.

5.2.2 Article 8 and Article 1 of the First Protocol: The right to respect for private/family life and the protection of property. This is a qualified right and the Council can only interfere with this right where this:-

- (a) Is in accordance with the law;
- (b) Serves a legitimate aim; and
- (c) Is necessary and proportionate in the particular circumstances of the case.

In respect of (a) above, as long as the decision to take enforcement action is taken pursuant to the provisions of Part VII of the 1990 Act, the action will be taken in accordance with the law.

In respect of (b), taking enforcement action against breaches of planning control serves a legitimate aim, namely the preservation of the environment in the wider public interest. This has been confirmed by decisions of the European Court of Human Rights in the cases of Buckley v United Kingdom and Chapman v United Kingdom.

Thus the only real issue is (c), whether enforcement action is necessary and proportionate in the particular circumstances of this case. In this respect, the Council needs to consider whether the objective can be achieved by a means which is less interfering with an individual's rights and whether the measure has an excessive or disproportionate effect on the interests of the affected individual(s). The objective in this case is the proper enforcement of planning control in a Green Belt Area. It is not considered that there is any other means by which this objective can be secured which interferes less with the rights of the owner/occupants. Nor is it considered that the service of an enforcement notice would have an excessive or disproportionate effect on their rights.

5.3 Consideration has also been given to the requirements in the Equality Act 2010 and it has been concluded that these requirements do not affect the recommendations in this report.

5.4 To date to pursue this matter, internal resources have been committed and will continue to be committed to issue and serve the recommended enforcement notice. These related costs are part of the normal work of the Enforcement Section and legal support.

- 5.5 Should the statutory right of appeal be exercised, additional resources and costs would be involved in defending the same. The level of resources and costs involved will depend upon whether any appeal is determined by way of written representations, an informal hearing or a public inquiry. If an appeal proceeds to a public inquiry, then depending upon the length of the inquiry and the complexity of the appeal grounds, Counsel may be engaged to present the Council's case. There is a right of appeal against the s215 Notice to the Magistrates' Court, for which counsel may need to be engaged. Officers expect these costs to be met from within existing budgets. Appeal costs are not usually recoverable by the successful party. However, in certain circumstances, the parties can make an application for costs which would be pursued if the appropriate circumstances arise. Members will be kept informed of any appeal through the Enforcement Progress Report

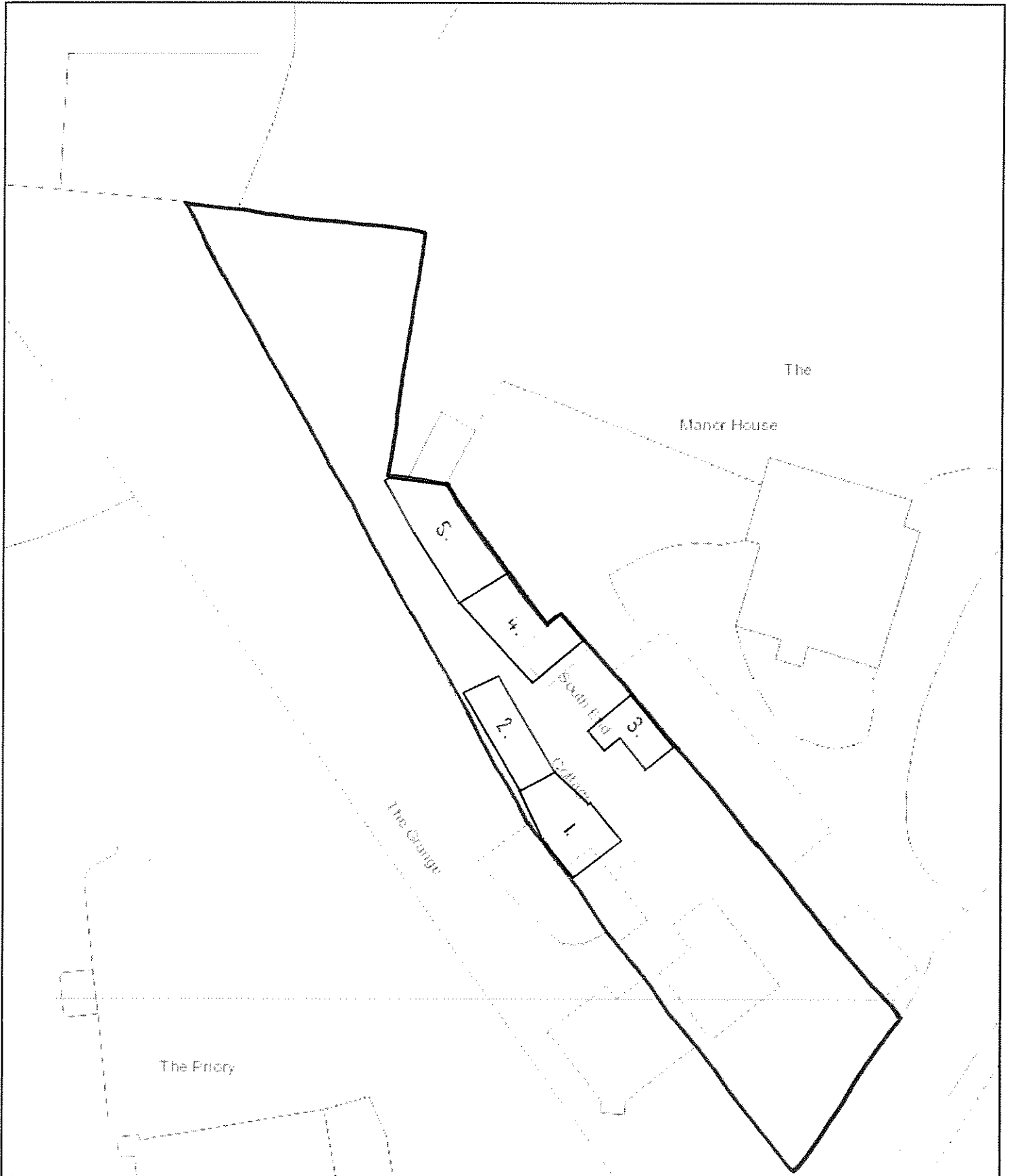
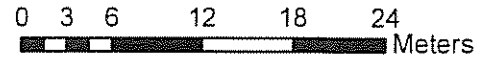
6. Recommendation

- 6.1 It is recommended that the Planning Committee authorises the issue and service of–
- 6.1.1 (An) Enforcement notice(s) in relation to the unauthorised developments at South End Cottage, on such terms and for the reasons as may be considered appropriate by the Head of Sustainable Development in consultation with the Head of Legal and Democratic Services. In the event of non-compliance with the Notice, the Head of Sustainable Development/Head of Legal and Democratic Services have delegated authority to instigate legal proceedings and/or direct action to secure compliance with the Notice.
- 6.1.2 A s215 Notice pursuant to Section 215 of the Town and Country Planning Act 1990 in relation to South End Cottage regarding the adverse affect on the amenity of the area, on such terms and for the reasons as may be considered appropriate by the Head of Sustainable Development in consultation with the Head of Legal and Democratic Services. In the event of non-compliance with the Notice, the Head of Sustainable Development/Head of Legal and Democratic Services have delegated authority to instigate legal proceedings and/or direct action to secure compliance with the Notice.



Location Plan

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South Bucks
District Council

Capswood, Oxford Road, Denham, Bucks UB9 4LH
Telephone: 01895 837200 DX: 40261 Gerrards Cross
www.southbucks.gov.uk

SUSTAINABLE DEVELOPMENT - DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)
**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) ORDER 2010**

FULL PLANNING PERMISSION

Mr & Mrs J Crockett
C/o Mr Leigh Tugwood, RIBA
A+ Studio
73 Swallowdale
Iver Heath
Bucks SL0 0EX

Date of Application 15.08.12 Application No. 12/01335/FUL

Particulars and location of development:

Replacement dwellinghouse.

South End Cottage, Middle Green, Wexham, Buckinghamshire, SL3 6BS

Under the powers given to it by the Act and Order set out above, South Bucks District Council as District Planning Authority hereby GRANTS planning permission for the development referred to above subject to the following schedule of conditions and informatives.

Your attention is drawn to the attached notes.

Dated : 10th day of October 2012

AK

MB

Peter Beckford
Head of Sustainable Development
for and on behalf of the Council

SCHEDULE OF CONDITIONS AND INFORMATIVES

1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice. (NS01)

Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).

2. No development shall take place until samples and/or a schedule of materials to be used in the elevations of the development hereby permitted have been submitted to and approved by the District Planning Authority in writing. Thereafter the development shall be carried out in accordance with the approved details. (NM01)

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

3. No windows shall be inserted at or above first floor level in the south west elevation(s) of the replacement dwelling hereby permitted. (ND05)

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

4. Notwithstanding the provisions of Article 3 and Classes A, B, C, D & E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order with or without modification) , no enlargement, improvement or other alteration (including the erection of a garage, stable, loosebox or coach-house within the curtilage) of or to the replacement dwellinghouse the subject of this permission, shall be carried out nor shall any building or enclosure required for a purpose incidental to the enjoyment of any said dwellinghouse as such be constructed or placed on any part of the land covered by this permission. (ND14A)

Reason: The site is located within the Metropolitan Green Belt where strict control over development is necessary in order to maintain the openness of the Green Belt. (Policy GB1 of the South Bucks District Local Plan (adopted March 1999) refers.)

5. No further windows shall be inserted at or above first floor level in the north east elevation(s) of the replacement dwelling hereby permitted. (ND17)

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

6. The development to which this planning permission relates shall be undertaken solely in accordance with the drawings referred to in the list at the foot of this decision notice. (NMS09a)

Reason: To ensure a satisfactory form of development and to accord with the terms of the submitted application. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

7. No development shall take place until all outbuildings on site, as shown on plan B1018-L-001 B, at the time of the commencement of the development hereby

permitted have been removed from the site or demolished in their entirety. All materials resulting from the removal/demolition of the outbuildings shall be removed from the site by the substantial completion or occupation of the development hereby permitted, whichever is the sooner.

Reason: The site is located within the Metropolitan Green Belt wherein strict control over development is necessary to maintain the openness of the Green Belt and to ensure a satisfactory development in accordance with the terms of the application (Policies GB1, GB10 and EP3 of the South Bucks District Local Plan (adopted March 1999) refer.) (NMS20)

8. No development shall take place until any extensions, buildings and/or enclosures constructed under Article 3 and Classes A, B & E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (as amended or any Order revoking and re-enacting that Order with or without modification) following the granting of this permission and prior to the commencement of works the subject of this permission, have been removed or demolished in their entirety. All materials resulting from such removal/demolition shall be removed from the site by the substantial completion or occupation of the development hereby permitted, whichever is the sooner.

Reason: The site is located within the Metropolitan Green Belt wherein strict control over development is necessary to maintain the openness of the Green Belt and to ensure a satisfactory development in accordance with the terms of the application (Policies GB1, GB10 and EP3 of the South Bucks District Local Plan (adopted March 1999) refer). (NMS22)

INFORMATIVE(S) :-

1. It is the responsibility of the developer/applicant to ensure that the development proceeds in accordance with the approved details and in compliance with any conditions on the planning permission. The condition(s) on this planning permission that appear in bold text and are numbered 2 and 7 are known as conditions precedent. These are conditions which require compliance before any development whatsoever starts on site. Where conditions precedent have not been complied with any development purporting to benefit from the planning permission will be unauthorised and a breach of planning control. The Development Control section will not normally approve details required by a condition precedent retrospectively. A new planning application will usually be required under these circumstances.

Conditions precedent must be formally confirmed as being complied with by the District Planning Authority prior to commencement of work. Formal discharge/compliance may also be required for other conditions. Any requests for the discharge/compliance of conditions must be submitted to the District Planning Authority in writing. Each such written request to discharge/compliance any conditions will require payment of a separate fee. (IN02)

2. Whilst it would appear from the application that the proposed development is to be entirely within the application site, care should be taken upon the commencement and during the course of building operations to ensure that no part of the development, including the foundations and roof overhang will encroach on, under or over any adjoining property. (IN06)

3. The applicant is advised that the District Planning Authority is unlikely to consider favourably any applications to extend this dwellinghouse further in the light of policy GB10 of the South Bucks District Local Plan (adopted March 1999), which seeks to ensure that extensions to dwellings located within the Green Belt are, inter alia, of a small scale in relation to the curtilage of the plot and to the original building. (IN13)
4. This application has been determined in accordance with the Town and Country Planning Acts (as amended) in the context of national and regional planning policy guidance and advice and having had regard to the relevant policies (listed below) of the South East Plan (May 2009), the Core Strategy (adopted February 2011) and the South Bucks District Local Plan (adopted March 1999). The relevant policies are as follows:

National Planning Policy Framework

Core Strategy Policies: Core policy 8 (Built and historic environment), Core policy 9 (Natural Environment) and Core policy 12 (Sustainable energy)

Local Plan policies: GB1 (Green Belt Boundaries and the Control over Development in the Green Belt), GB11 (Rebuilding of Dwellings in the Green Belt), C8 (Proposals affecting the Setting of a Listed Building), EP3 (The Use, Design and Layout of Development), EP4 (Landscaping), EP5 (Sunlight and Daylight), EP6 (Designing to Reduce Crime), H9 (Residential Layout and Design), TR5 (Accesses, Highway Works and Traffic Generation) and TR7 (Parking Provision)

In summary, the reasons for granting permission are that the District Planning Authority is of the opinion that the development hereby approved is in accordance with the development plan and that there are no material planning considerations that indicate that an alternative decision should have been reached. The planning conditions attached to the notice of planning permission ensure that any material harm that may result from the development will be reasonably mitigated. Furthermore, any potential harm to interests of acknowledged importance is likely to be negligible and would be outweighed by the benefits of the development.

This informative is only intended as a summary of the reasons for the grant of planning permission. Further detail on the decision and on how the policies referred to above have been addressed may be obtained through inspection of the written report prepared for this application, available at the Council Offices. Please telephone 01895 837200 or e-mail planning@southbucks.gov.uk to arrange to view the report. (IN34)

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

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

6. The applicant / agent is advised that Condition 8 is intended to prevent any further permitted development extensions, buildings and/or enclosures erected prior to the implementation of this planning permission being retained. Unless and until this permission is implemented, such permitted development and the right to erect same can be retained.

LIST OF APPROVED PLANS

Plan number/name	Date received by District Planning Authority
RG-11-1396-01	15.08.2012
RG-11-1396-02	15.08.2012
B1018-005	15.08.2012
B1018-L-003 B	15.08.2012
B1018-L-002 C	15.08.2012
B1018-L-001 B	15.08.2012
B1018-L-000	15.08.2012
FRA - app 11/01985/FUL	15.08.2012

NOTES

1. If the applicant is aggrieved by the decision of the District Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he or she may appeal to the Planning Inspectorate (part of the Department for Communities and Local Government), in accordance with section 78 of the Town and Country Planning Act 1990. The applicant must appeal within six months from the date of this notice, or twelve weeks for householder applications. If this is a householder application, the code QZ1 will appear at the foot of this page. Appeals must be made on a form which can be obtained from:

The Planning Inspectorate
 Customer Support Section
 Temple Quay House, 2 The Square,
 Temple Quay, Bristol
 BS1 6PN.
 Helpline: 0117-372-6372 Website: www.planning-inspectorate.gov.uk

The Planning Inspectorate has power to allow a longer period for the giving of a notice of appeal but it will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Planning Inspectorate is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the District Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. The Planning Inspectorate does not in practice refuse to entertain appeals solely because the decision of the District Planning Authority was based on a direction given by them.

The Planning Inspectorate has introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pes. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

2. If permission to develop land is refused or granted subject to conditions, whether by the District Planning Authority or by the Planning Inspectorate and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated, a purchase notice requiring that Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act, 1990.
3. The applicant is advised that Building Regulations approval may also be required for the proposed development. For further advice please contact the Council's Building Control Services on 01895 837296 or via e-mail at buildingcontrol@southbucks.gov.uk



**South Bucks
District Council**

Capswood, Oxford Road, Denham, Bucks UB9 4LH
Telephone: 01895 837200 DX: 40261 Gerrards Cross
www.southbucks.gov.uk

SUSTAINABLE DEVELOPMENT - DEVELOPMENT MANAGEMENT

**TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) ORDER 2010**

APPROVAL OF VARIATION OF CONDITION

Mr And Mrs James Crockett
C/o Leigh Tugwood
Leigh M Tugwood RIBA
73 Swallowdale
Iver Heath
Iver
Buckinghamshire
SL0 0EX

Date of Application 21.03.13 Application No. 13/00460/VC

Particulars and location:

Variation of conditions 6 and 7 of planning permission 12/01335/FUL to allow for the temporary retention of the 'Coach House' to be used as storage during the construction of the replacement dwelling and the permanent retention of 'The Workshop' excluding the 'tool store', which is to be demolished.

South End Cottage, Middle Green, Wexham, Buckinghamshire, SL3 6BS

Under the powers given to it by the Act and Order set out above, South Bucks District Council as District Planning Authority hereby **GRANTS** the above variation of condition as set out below:-

- 1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice. (NS01)

Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).

- 2. No development shall take place until samples and/or a schedule of materials to be used in the elevations of the development hereby permitted have been submitted to and approved by the District Planning Authority in writing. Thereafter the development shall be carried out in accordance with the approved details. (NM01)

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

- 3. No windows shall be inserted at or above first floor level in the south west elevation(s) of the replacement dwelling hereby permitted. (ND05)



**INVESTORS
IN PEOPLE**

Bronzo

Chief Executive: Alan Goodrum
Directors: Jim Burness (Resources) Bob Smith (Services)

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining propert. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

4. Notwithstanding the provisions of Article 3 and Classes A, B & E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order with or without modification) , no enlargement, improvement or other alteration (including the erection of a garage, stable, loosebox or coach-house within the curtilage) of or to the replacement dwellinghouse the subject of this permission, shall be carried out nor shall any building or enclosure required for a purpose incidental to the enjoyment of any said dwellinghouse as such be constructed or placed on any part of the land covered by this permission. (ND14A)

Reason: The site is located within the Metropolitan Green Belt where strict control over development is necessary in order to maintain the openness of the Green Belt. (Policy GB1 of the South Bucks District Local Plan (adopted March 1999) refers.)

5. No further windows shall be inserted at or above first floor level in the north east elevation(s) of the replacement dwelling hereby permitted. (ND17)

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining propert. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

6. The development to which this planning permission relates shall be undertaken solely in accordance with the drawings referred to in the list at the foot of this decision notice. (NMS09a)

Reason: To ensure a satisfactory form of development and to accord with the terms of the submitted application. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

7. No development shall take place until the outbuilding marked as the 'Summerhouse' (Plan Ref B1018-L-010) has been demolished in its entirety and removed from the site. All materials resulting from the removal/demolition of the outbuilding shall be removed from the site by the substantial completion or occupation of the development hereby permitted, whichever is the sooner.

Reason: The site is located within the Metropolitan Green Belt wherein strict control over development is necessary to maintain the openness of the Green Belt and to ensure a satisfactory development in accordance with the terms of the application (Policies GB1, GB11; and EP3 of the South Bucks District Local Plan (adopted March 1999) refer.) (NMS20)

8. The outbuilding known as 'The Coach House' shall be demolished in its entirety by the substantial completion of the development hereby permitted. All materials resulting from the removal/demolition of the coach house shall be removed from the site by the occupation of the development hereby permitted.

Reason: The site is located within the Metropolitan Green Belt wherein strict control over development is necessary to maintain the openness of the Green Belt and to ensure a satisfactory development in accordance with the terms of the application (Policies GB1,GB11; and EP3 of the South Bucks District Local Plan (adopted March 1999) refer.) (NMS20)

9. No development shall take place until the outbuilding known as 'The Workshop' has been partly demolished, as indicated on plan B1018-L-010 Plans and Elevations, submitted to the Authority on the 21/05/2013. All materials resulting from the part demolition of the workshop shall be removed from the site by the substantial completion or occupation of the development hereby permitted, whichever is the sooner.

Reason: The site is located within the Metropolitan Green Belt wherein strict control over development is necessary to maintain the openness of the Green Belt and to ensure a satisfactory development in accordance with the terms of the application (Policies GB1, GB11; and EP3 of the South Bucks District Local Plan (adopted March 1999) refer.) (NMS20)

10. No development shall take place until any extensions, buildings and/or enclosures constructed under Article 3 and Classes A, B & E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (as amended or any Order revoking and re-enacting that Order with or without modification) following the granting of this permission and prior to the commencement of works the subject of this permission, have been removed or demolished in their entirety. All materials resulting from such removal/demolition shall be removed from the site by the substantial completion or occupation of the development hereby permitted, whichever is the sooner.

Reason: The site is located within the Metropolitan Green Belt wherein strict control over development is necessary to maintain the openness of the Green Belt and to ensure a satisfactory development in accordance with the terms of the application (Policies GB1, GB11 and EP3 of the South Bucks District Local Plan (adopted March 1999) refer). (NMS22)

INFORMATIVE(S) :-

1. This application has been determined in accordance with the Town and Country Planning Acts (as amended) in the context of national and regional planning policy guidance and advice and having had regard to the relevant policies (listed below) of the South East Plan (May 2009), the Core Strategy (adopted February 2011) and the South Bucks District Local Plan (adopted March 1999). The relevant policies are as follows:

National Planning Policy Framework

Core Strategy Policies: Core policy 8 (Built and historic environment), Core policy 9 (Natural Environment) and Core policy 12 (Sustainable energy)

Local Plan policies: GB1 (Green Belt Boundaries and the Control over Development

in the Green Belt), GB11 (Rebuilding of Dwellings in the Green Belt), C8 (Proposals affecting the Setting of a Listed Building), EP3 (The Use, Design and Layout of Development), EP4 (Landscaping), EP5 (Sunlight and Daylight), EP6 (Designing to Reduce Crime), H9 (Residential Layout and Design), TR5 (Accesses, Highway Works and Traffic Generation) and TR7 (Parking Provision)

In summary, the reasons for granting permission are that the District Planning Authority is of the opinion that the development hereby approved is in accordance with the development plan and that there are no material planning considerations that indicate that an alternative decision should have been reached. The planning conditions attached to the notice of planning permission ensure that any material harm that may result from the development will be reasonably mitigated. Furthermore, any potential harm to interests of acknowledged importance is likely to be negligible and would be outweighed by the benefits of the development.

This informative is only intended as a summary of the reasons for the grant of planning permission. Further detail on the decision and on how the policies referred to above have been addressed may be obtained through inspection of the written report prepared for this application, available at the Council Offices. Please telephone 01895 837200 or e-mail planning@southbucks.gov.uk to arrange to view the report. (IN34)

2. It is the responsibility of the developer/applicant to ensure that the development proceeds in accordance with the approved details and in compliance with any conditions on the planning permission. The condition(s) on this planning permission that appear in bold text and are numbered 2, 7, 8 and 9 are known as conditions precedent. These are conditions which require compliance before any development whatsoever starts on site. Where conditions precedent have not been complied with any development purporting to benefit from the planning permission will be unauthorised and a breach of planning control. The Development Control section will not normally approve details required by a condition precedent retrospectively. A new planning application will usually be required under these circumstances.

Conditions precedent must be formally confirmed as being complied with by the District Planning Authority prior to commencement of work. Formal discharge/compliance may also be required for other conditions. Any requests for the discharge/compliance of conditions must be submitted to the District Planning Authority in writing. Each such written request to discharge/compliance any conditions will require payment of a separate fee. (IN02)

3. Whilst it would appear from the application that the proposed development is to be entirely within the application site, care should be taken upon the commencement and during the course of building operations to ensure that no part of the development, including the foundations and roof overhang will encroach on, under or over any adjoining property. (IN06)
4. The applicant is advised that the District Planning Authority is unlikely to consider favourably any applications to extend this dwellinghouse further in the light of policy GB10 of the South Bucks District Local Plan (adopted March 1999), which

seeks to ensure that extensions to dwellings located within the Green Belt are, inter alia, of a small scale in relation to the curtilage of the plot and to the original building. (IN13)

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

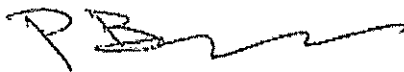
By signing up to the scheme, contractors and construction companies commit to being considerate and good 'neighbours', as well as being clean, respectful, safe, environmentally conscious, responsible and accountable. The Council highly recommends the 'Considerate Constructors Scheme' as a way of avoiding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

6. The applicant / agent is advised that Condition 10 is intended to prevent any further permitted development extensions, buildings and/or enclosures erected prior to the implementation of this planning permission being retained. Unless and until this permission is implemented, such permitted development and the right to erect same can be retained.
7. The applicant is advised that, in the light of this decision, the retention of the outbuildings once development has commenced for the replacement dwelling would not be looked upon favourably by the Local Planning Authority. Failure to demolish the outbuildings and subsequent materials from the site will result in the District Planning Authority considering the expediency of undertaking enforcement action to secure the permanent removal of the outbuildings known as 'The Summer House' and 'The Coach House'. The applicant is recommended to take immediate steps to obviate the need for such enforcement action. (IN36)

Your attention is drawn to the attached notes.

Dated : 22nd day of May 2013

AK
ADT



Peter Beckford
Head of Sustainable Development
for and on behalf of the Council

LIST OF APPROVED PLANS

Plan number/name	Date received by District Planning Authority
B1018-L-010 PLANS	21.05.2013
B1018-L-010	21.03.2013
RG-11-1396-01	15.08.2012
RG-11-1396-02	15.08.2012
B1018-005	15.08.2012
B1018-L003 REV B	15.08.2012
B1018-L-002 REV C	15.08.2012
FRA - app 11/01985/FUL	15.08.2012

NOTES

If the applicant is aggrieved by the decision of the District Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he or she may appeal to the Planning Inspectorate (part of the Department for Communities and Local Government), in accordance with section 78 of the Town and Country Planning Act 1990. The applicant must appeal within six months from the date of this notice, or twelve weeks for householder applications. If this is a householder application, the code Q21 will appear at the foot of this page. Appeals must be made on a form which can be obtained from:

The Planning Inspectorate
Customer Support Section
Temple Quay House, 2 The Square,
Temple Quay, Bristol
BS1 6PN.
Helpline: 0117-372-6372
Website: www.planning-inspectorate.gov.uk

The Planning Inspectorate has power to allow a longer period for the giving of a notice of appeal but it will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Planning Inspectorate is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the District Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. The Planning Inspectorate does not in practice refuse to entertain appeals solely because the decision of the District Planning Authority was based on a direction given by them.

The Planning Inspectorate has introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

If permission to develop land is refused or granted subject to conditions, whether by the District Planning Authority or by the Planning Inspectorate and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated, a purchase notice requiring that Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act, 1990.









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