

Development Management Committee

13 OCTOBER 2016

PRESENT: Councillors A Bond (Vice-Chair, in the Chair), B Adams, M Collins, N Glover, K Hewson, S Lambert, T Mills, L Monger (In place of R Khan), M Rand and J Ward (In place of P Fealey)

IN ATTENDANCE: Councillors J Chilver, H Mordue, C Adams and B Russel

APOLOGIES: Councillors R Khan and P Fealey

1. TEMPORARY CHANGES TO MEMBERSHIP

Cllr J Ward substituted for Cllr P Fealey
Cllr L Monger substituted for Cllr R Khan

2. MINUTES

RESOLVED-

That the Minutes of the meeting held on 22 September 2016 be approved as a correct record.

3. REPORT OF THE DEVELOPMENT MANAGEMENT MANAGER

APPLICATIONS DETERMINED

RESOLVED –

That the applications submitted under the Town and Country Planning Act, 1990 (as amended) and the Town and Country Planning (Development Management Procedure) (England) Order, 2015 be determined as set out below.

NOTE: The standard planning conditions and reasons referred to are as set out in the publication “Aylesbury Vale District Council – Planning Conditions and Reasons” – dated 1 October 2007.

4. 16/00925/AOP BIERTON WITH BROUGHTON - LAND OFF WILLIAM HILL DRIVE BIERTON MK18 2HA

RESOLVED –

Application Refused for the following reasons:-

1. The proposal would conflict with the Aylesbury Vale District Local Plan and would not constitute sustainable development. It would fail to comply with the core principles of the NPPF to recognise the intrinsic character and beauty of the countryside, to conserve and enhance the natural and historic environment, securing high quality design and to reuse land that has been previously developed. The development is of a scale and nature on a green field site which would represent an obtrusion in to open countryside and result in significant adverse impacts on the rural character and appearance of the site and would fail to preserve the character and appearance of the adjacent designated

conservation area, contrary to policies GP35 and GP53 of the Aylesbury Vale District Local Plan and NPPF advice. There are limited facilities in the village of Bierton to serve day to day needs and the development would be reliant on the car. In the context of paragraph 14 of the NPPF, these adverse impacts of the proposal would significantly and demonstrably outweigh the benefits of the contribution to the 5 year supply of housing

2. Had the above reason for refusal not applied, it would have been necessary for the applicant and the Local Planning Authority to enter into a Section 106 Agreement to secure the provision of a financial contribution towards off site sport and leisure facilities as well as the maintenance of on site open space, a financial contribution towards education provision, the submission of a travel plan, monitoring financial contribution and off site highway measures. In the absence of such provision the proposal is contrary to requirements of policies GP86 and GP88 and the adopted SPG Sport and Leisure facilities and policy GP94 of Aylesbury Vale District Local Plan and the principle in the NPPF of securing healthy communities.

5. 16/00472/APP AYLESBURY - LAND OFF CASTLE STREET AYLESBURY

RESOLVED –

Permission **Granted** subject to the following conditions:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 No works above damp proof course level shall take place until samples/details of the materials proposed to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials unless otherwise agreed in writing by the Local Planning Authority. Please also see note no. 5 on the back of this notice.
- 2 Reason: To ensure a satisfactory appearance to the development and to comply with policies GP35 and GP53 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 3 Prior to the commencement of construction works above damp proof course level, full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include trees to be retained showing their species, spread and maturity; proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; and minor artefacts and structures including refuse or other storage units, signs and security lighting. The approved landscaping scheme shall be carried out not later than the first planting season following the first occupation of the last of the building(s) to be occupied or the completion of the development, whichever is the sooner. Please also see note nos. 5 and 6 on the back of this notice.

3 Reason: In the interests of the visual amenities of the locality and to comply with policy GP38 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

4 No site clearance works or development shall take place until there has been submitted to the Local Planning Authority for their approval a tree protection plan showing the type, height and position of protective fencing to be erected around each tree or hedge to be retained. Unless otherwise agreed in writing by the Local Planning Authority this shall comprise a barrier complying with Figure 2 of BRITISH STANDARD 5837:2012 positioned at the edge, or outside the Root Protection Area shown on the tree protection plan.

No site clearance works or the development itself shall be commenced until such a scheme is approved by the Local Planning Authority and thereafter the development hereby permitted shall only be carried out in accordance with that scheme. The area surrounding each tree/hedge within the approved protective fencing shall remain undisturbed during the course of the works, and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed unless these are elements of the agreed tree protection plan.
4. No materials or waste shall be burnt nor within 20 metres of any retained tree; and.
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

4 Reason: In order to minimise damage to the trees during building operations and to comply with policy GP38 of the Aylesbury Vale District Local Plan and to accord with the National Planning Policy Framework. Details must be approved prior to the commencement of development to ensure the development is undertaken in a way which ensures a satisfactory standard of tree care and protection.

5 Prior to the occupation of the development, details of all screen and boundary walls, fences and any other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details and the buildings hereby approved shall not be occupied until the details have been fully implemented. Please also see note no. 6 on the back of this notice.

5 Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority and to comply with policy GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

6 The development shall not be commenced until a scheme giving details of measures to be put in place to provide protection for the existing boundary wall and trees adjacent to the site during the period of demolition, excavation and construction has been submitted to and approved by the Local Planning Authority. The approved measures shall be implemented before commencement of demolition operations and shall remain in place until the development is complete.

6 Reason: To ensure a satisfactory appearance to the development and to comply with policy GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework. Details must be approved prior to the

commencement of development to ensure the development is undertaken in a way which ensures a satisfactory standard of care and protection to the wall and trees..

- 7 No development shall take place until details of the proposed slab levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land have been submitted to and approved in writing by the Local Planning Authority, with reference to fixed datum point. The building(s) shall be constructed with the approved slab levels. Please also see note no. 6 on the back of this notice.
- 7 Reason: For the avoidance of doubt and to ensure a satisfactory form of development and to comply with policy GP8 and GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework. Details must be approved prior to the commencement of the development to ensure the development to ensure the development has a satisfactory impact on the character and appearance of the site and surrounding area including the conservation area.
- 8 Drainage works on site shall not commence until details of the proposed means of disposal of foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved scheme of drainage. Please also see note no. 6 on the back of this notice.
- 8 Reason: In order to ensure that the development is adequately drained and to comply with the National Planning Policy Framework
- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no enlargement of any dwelling nor the erection of any garage shall be carried out within the curtilage of any dwelling the subject of this permission, no buildings structures or means of enclosure shall be erected on the site which is the subject of this permission, no hard surface shall be provided on the land the subject of this permission, other than those expressly authorised by this permission.
- 9 Reason: In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for development having regard for the particular layout and design of the development in accordance with policy GP8 and GP35 of the Aylesbury Vale District Local Plan.
- 10 No part of the development shall begin until an amended floor plan and elevation drawing has been submitted to and approved in writing by the Local Planning Authority to show the south facing bedroom window in the western-most unit being repositioned onto the west facing elevation of the dwelling. The development shall only be carried out in accordance with the approved amended drawings and no further windows shall be inserted thereafter into any of the dwellings hereby permitted without the prior express permission in writing of the Local Planning Authority.
- 10 Reason: To preserve the amenities of the occupants of the adjacent dwelling and to comply with policy GP8 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework. Details must be approved prior to the

commencement of development to ensure the proposals can be implemented without causing harm to residential amenity.

- 11 No development shall take place until a programme of archaeological work in accordance with a written scheme of investigation has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved scheme. Please also see note no. 6.
- 11 Reason: To record or safeguard any archaeological evidence that may be present at the site and to comply with policy GP59 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 12 The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.
- 12 Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway and to comply with the National Planning Policy Framework.

Note: Cllr B Adams declared a personal interest in the above application as a Member of Aylesbury Town Council who had commented on the application.

Cllr S Lambert declared a personal but not a prejudicial interest in the above application.

Cllr J Ward declared a personal and prejudicial interest in the above application as members of her family had made use of the application site in the past for the parking of vehicles. She left the meeting and took no further part in the discussion or the vote on the resolution.

6. 15/04106/AOP BUCKINGHAM- LAND ADJ 73 MORETON ROAD BUCKINGHAM

RESOLVED –

That application **15/04106/AOP** be **Deferred** for the application to be brought back to the Committee and the report to address any conflict with the Buckingham Neighbourhood Development Plan and to include an assessment of paragraph 198 of the NPPF.

7. 16/02072/APP STEEPLE CLAYDON - HARVEST MOON BARN WINTERS TALE FARMHOUSE CALVERT ROAD STEEPLE CLAYDON MK18 2HA

RESOLVED –

Permission **Granted** subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The materials to be used for the proposed building shall be as indicated on the approved plans and application form unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and to comply with GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

- 3 No development shall take place on the building hereby permitted until details of the materials proposed to be used on the surfaces of the driveway, passing places and parking area have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials unless otherwise agreed in writing by the Local Planning Authority. Please also see note no. 5.

Reason: To ensure a satisfactory appearance to the development and to comply with policy GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

- 4 No development shall take place until full details of soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include trees to be retained showing their species, spread and maturity and include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. These works shall be carried out as approved within the first planting season following the first occupation of the development or the completion of the development whichever is the sooner.

Reason: To ensure a satisfactory appearance to the development and to comply with policy GP35 of Aylesbury Vale District Local Plan and the National Planning Policy Framework.

- 5 Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and to comply with Policy GP35 of Aylesbury Vale District Local Plan and the National Planning Policy Framework.

- 6 No development shall take place until details of the proposed slab levels of the building in relation to the existing and proposed levels of the site and the surrounding land have been submitted to and approved in writing by the Local Planning Authority, with reference to fixed datum point. The building shall be constructed with the approved slab levels. Please also see note no.6.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development and to comply with Policy GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

- 7 No doors or windows other than those shown on the approved drawing shall be inserted the building hereby permitted.

Reason: To preserve the amenities of the occupants of the adjacent dwelling and to comply with policy GP8 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

- 8 The development hereby approved shall not be used 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 "Commercial Vehicular Access Within Highway Limits" 2013. For the avoidance of doubt the applicants will be required to enter into a S184 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 and to comply with the National Planning Policy Framework.

- 9 The development hereby approved shall not be used until the passing places have been laid out and constructed in accordance with the approved plans.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and to comply with the National Planning Policy Framework.

- 10 Construction of the building hereby approved shall not begin until visibility splays have been provided on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 151 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.

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 and to comply with the National Planning Policy Framework.

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

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway and to comply with the National Planning Policy Framework.

8. 16/02305/APP CHEARSLEY - THE LODGE CHURCH LANE CHEARSLEY HP18 0DF

RESOLVED –

Permission **Granted** subject to the conditions as outlined in the report and the corrigendum to the report.