



BUCKINGHAM TOWN COUNCIL

TOWN COUNCIL OFFICES, BUCKINGHAM CENTRE,
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Town Clerk: Mr. C. P. Wayman

Wednesday, 22 November 2017

Councillor,

You are summoned to a meeting of the Planning Committee of Buckingham Town Council to be held on Monday 27th November 2017 at 7pm in the Council Chamber, Cornwalls Meadow, Buckingham.

C.P. Wayman
Town Clerk

Please note that the meeting will be preceded by a Public Session in accordance with Standing Order 3.f, which will last for a maximum of 15 minutes, and time for examination of the plans by Members.

AGENDA

- 1. Apologies for Absence**
Members are asked to receive apologies from Members.
- 2. Declarations of Interest**
To receive declarations of any personal or prejudicial interest under consideration on this agenda in accordance with the Localism Act 2011 Sections 26-34 & Schedule 4.
- 3. Minutes**
To receive the minutes of the Planning Committee Meeting held on Monday 30th October 2017 ratified at the Full Council meeting held on 20th November 2017. **Copy previously circulated**
- 4. Presentation**
To receive a presentation from BCC on proposed cycleway improvements within the town from Tayo Akinyosade, Highway Infrastructure Project Officer.
- 5. AVDC Parish Support**
To welcome Mr. Hazrat Hussain of the Parish Liaison team, and discuss the role and fields of activity of the team.
- 6. Buckingham Neighbourhood Plan/Vale of Aylesbury Plan**
To receive any update.

Buckingham



Twinned with Mouvaux, France

Members are reminded to declare any prejudicial interest as soon as it becomes apparent.
All Committee documents can be found on the Buckingham Town Council's website. Alternatively, the Clerk send you a copy of any minutes, reports or other information. To do this, send a request using the contact details set out above.

7. Action Reports

7.1 To receive action reports as per the attached list.

7.2 (586.2; parking for Domino's) Clarification of the Town Hall frontage parking

7.3 (317/17; Equality Act) Response

Appendix A
Appendix B
Appendix C

8. Planning Applications

For Member's information the next scheduled Development Management Committee meetings are 14th December 2017 and 4th January 2018, with SDMC meetings on 13th December 2017 and 3rd January 2018.

To consider planning applications received from AVDC and other applications

1. 17/01020/ACL 12 Brackley Road, MK18 1JD
Continued use of one room as chiropractic clinic
Sutherland
2. 17/04003/APP Unit 18 Osier Way, MK18 1TG
Change of use to Class D2 and the installation of plant
equipment to facilitate the operation of a 24 hour gymnasium
Graham
- The following two applications can be considered together:*
3. 17/04023/APP Stoneleigh House, 17 Castle Street, MK18 1BP
4. 17/04326/ALB Change of use of 7 bedroom residential property to 6 bedroom
hotel with associated works
Parslow
5. 17/04078/APP Ground floor and basement, 1-2 Castle Street, MK18 1BS
Change of use from hotel bar lounge and coffee lounge to coffee
shop and external alterations
Villiers Hotel Ltd.
6. 17/04200/APP Sports Grounds, Bourton Road, MK18 1BG
Replacement of existing 2 lane training nets with brand new 3
lanes arrangement
Johnson [Buckingham Town Cricket Club]
7. 17/04202/APP 15 Bernardines Way, MK18 1BF
Loft conversion and single storey rear extension
Vincent
8. 17/04223/APP 5 Boswell Court, MK18 1UU
Remove glazed roof to existing conservatory and convert
structure to permanent extension of the house
Carter
9. 17/04247/APP 1 Jacob, MK18 1GE
Proposed single storey rear extension
Cater
10. 17/04335/ALB 25 Market Hill, MK18 1JX
Rep[lacement of 4 windows and door
Webberley

The following Additional Information has been received, for information only:

11. 17/00746/APP Former Railway Station Site, Station Road
Erection of a new student accommodation (C2) building
including ground floor parking with associated landscaping and
access
University of Buckingham

*Additional plans and document: drainage details, attenuation pond, flood risk & SuDS
Maintenance Plan*

*Parish Liaison Officer reports that an extension of time to 1/12/17 has been agreed, to
accommodate discussions with SuDs and Highways.*

12. 16/A1413/DIS Land off Chandos Road [at the entrance to Waglands Garden]
Discharge of conditions for approved application 16/01413/APP
for 9 flats and a detached house and garage.
W E Black

*Additional documents: a) BCC's response of 11/10/2017; b) revised drainage layout drawing
and computations*

Not for consultation:

13. 17/04067/INTN 11A Meadway, MK18 1BL
Notice of Intention to install electronic communications
apparatus pursuant to the Town & Country Planning (General
Permitted Development) (England) Order 2015 and the
Electronic Communications Code (Conditions and Regulations)
2003
Openreach

AVDC has already recorded a 'No Action' response

14. 17/04140/INTN Road outside 4 McKenzie Close, MK18 1SS [actually verge at
Chandos Road/London Road junction outside Sainsbury's]
Notice of Intention to install x1 electronic communication
apparatus pursuant to the Town & Country Planning (General
Permitted Development) (England) Order 2015 and the
Electronic Communications Code (Conditions and Regulations)
2003 (as amended)
Openreach

15. 17/04160/ATC Cornwalls Centre, High Street
Fell one false acacia and grind stump down below ground level,
due to fungal infection putting the tree at risk of total failure.
Beaumont [Vine Property Management LLP]

*Consensus of Members supported the felling; other comments about replacement have been
sent. AVDC have already made an approval decision.*

16. 17/04295/ATP Maids Moreton Avenue, MK18 1RJ
Ash, Oak, Sycamore, height 18m, spread 12m in TPO Group1
Clear branches in contact with the wall; fell self set sycamores in
group; 2.5m partial reduction of sycamore overhanging the
driveway
Desai [4 Manor Gardens]

9. Planning Decisions

To receive for information details of planning decisions made by AVDC as per 'Bulletin' and other decisions.

		BTC response	Officer recommⁿ
Approved			
16/03302/APP	Land rear 13 High St. Care Home etc	Oppose	&Attend Approve
17/02720/APP	131 Needlepin Way Side & rear conservatory (retrosp.)	No Objections	-
17/03241/APP	Land.adj.Little Oaks Install rooflights on garage	No Objections	-
17/03280/ALB	19 High Street New WC/utility room, repl. windows	No Objections	-
17/03369/APP	1 Wharf Hill Terrace Single storey rear extension	No Objections	-
17/03388/APP	22 Lenborough Rd. Garden Building	No Objections	-
17/03505/ALB	58 Nelson Street Repl.door and window at rear	No Objections	-
17/03766/APP	7 Highlands Road Single storey rear extension	No Objections	-

Refused

17/03167/APP	Greenways, Stowe Ave. Ext'n of fence height (retrosp.)	Oppose	
17/03530/ALB	30 High Street Replace two rear bedroom windows	No Objections	(subj.HBO)

Not Consulted on:

Approved

17/03325/ACL	24 Moorhen Way S/st. rear extn,conv. part garage	No objections	
17/04160/ATC	Cornwall Place Fell one false acacia (diseased)	No objections	

10. Planning Inspectorate

- 10.1 A Notice of Appeal against refusal of permission was received on 2nd November for (16/03784/APP) The Villas, Stratford Road, MK18 1NY
Infill development between existing dwellings and above existing parking to provide new one bed apartment
Any additional comments to be sent to the Inspectorate before **6th December 2017**

The application was Refused 24/3/17, and succeeded by the almost identical 17/01968/APP, also Refused, on 19/7/17. The appeal application is dated 21/9/17, so 3 days before the six months allowed expired.

At the 28th November 2016 meeting, Members decided to **OPPOSE & ATTEND**:

"Members felt that outstanding matters from previous applications should be enforced before a decision was made on this application, for example that the decorative panels on the bay window of No.3 The Villas were still shown in the drawings as matching those on No.1 & No.2 whereas it was actually a white PVC lapped panel, incongruous in the context, and that some fencing and garden maintenance deficiencies were affecting neighbouring boundaries. This is a building on one of the principal entrances to the town, and its design integrity should have been maintained.

This application was clearly premeditated when the double garage was applied for; the doorway in the street elevation appeared only a month after approval, and was not included in the application drawings (which showed shrubbery screening a blank wall). The garage itself was never constructed, apart from this rear wall, and the area has become a dumping area for rubbish, so Members have never discovered whether it was usable or, indeed, possible to manoeuvre into it via the remaining space; the 5 cars that park there currently park to the side of the space rather than the bottom as indicated on drawings. This proposal could lead to another two cars requiring parking spaces, and one 'garage' space has been reduced in area in order to accommodate the stairs and cycle parking. This is likely to lead to some vehicles being parked elsewhere to the detriment of other residents' amenity and road safety. The argument that this is a town centre site, with consequent reduction in parking provision permitted, was rejected as it outside the boundary set in the Neighbourhood Plan.

Members could not see the point of a 'feature bay window' on the rear of the maisonette, as the only bay windows on The Villas are on the street elevation. A window at first floor level over a kitchen sink will allow residents to overlook the houses behind, and it is not clear what finish is intended; possibly more white PVC to match the dormer inserted into No.3?

The statement that 'the proposal will not affect daylight/sunlight to any neighbouring properties' cannot be correct as there are three side windows in №.4 and one in №. 3, though without a drawing showing the outline of the roof on these two walls, it is impossible to tell whether all of these will be affected.

The bin bay in the arch is not adequate for the existing dwellings, let alone another.

Members reiterated their previous concerns about overdevelopment of this plot and the effect on a floodable area of extending the impermeable cover and voiced objections to this planning creep.

The Committee voted unanimously to oppose the application on the grounds of overdevelopment of the plot, loss of amenity for neighbours, inadequate parking and effect on stormwater drainage."

Minor Amendments were submitted to which Members responded:

"Members reiterated their previous response, and asked for clarification about the treatment of the side windows of Nos 3 & 4 The Villas, one of which served a bathroom".

Attendance at DMC was not required as AVDC concurred and it was refused on 24/3/17.

Subsequent research showed that the three windows in the side of № 4 are to a cloakroom, a bathroom, and an ensuite bathroom respectively, and that in the side of № 3, though a bedroom is shown on the plans, does not appear on the drawing and it is obscure-glazed so may also be a bathroom.

10.2 A Notice of Appeal against refusal of permission was received on 10th November for
(16/00847/APP) West End Farm, Brackley Road
Demolition of existing buildings and erection of 75 extra care units, ancillary community facilities, including ancillary guest room, parking landscaping and associated works

Any additional comments to be sent to the Inspectorate before **14th December 2017**

At the 11th April 2016 Interim Council meeting, Members voted 11: 2, 2 abstaining, to

OPPOSE & ATTEND:

"Members discussed the proposal, agreeing that a demand for such accommodation exists, but expressing concern that the site was not in the Neighbourhood Plan for development and that it was a good way from the town centre. Allowing development of such unassigned sites would provide leverage for other developers wishing to build on undesignated areas. The developers had not participated in the "call for sites", and the site had been rejected for inclusion in the Neighbourhood Plan because of the dangerous bend and its being outside the settlement envelope.

It was pointed out that merely providing a connecting pathway from the corner of the site to the Cemetery frontage was not a solution as local residents used this area for car parking, leaving inadequate width for mobility scooters or cycles, and the access was on a difficult section of road. They regretted the lack of detailed landscaping plans, including retained trees. Concern was expressed about the facilities to be available for public use, and whether they would actually be built; these were all integrated into the various blocks, so the spaces would be allocated and few were large enough to be turned into additional flats."

A radical change was effected and Amended Plans were considered on 16th January 2017:

"Members objected, as before, to this proposal which was not part of the scheduled development in the Neighbourhood Plan.

They also felt that this should have been a new application described as 'a retirement complex comprising 72 self-contained flats, guest unit and communal facilities' rather than amended plans which bore no relation to the original bar the site boundary and existing vegetation. There was no evidence of provision for personal or nursing care staff, and if care was to be provided by individually hired personnel, then the vehicle movements would amount to several per day for each unit; the development was a considerable distance from the town centre and without pedestrian links or a bus service, so those residents who were able would be using cars or taxis to access shops and services, both sources of traffic increasing the pressure on the already busy and narrow West Street limb of the Town Hall junction. As this number of flats was well over the threshold Members asked about Affordable Housing provision.

A lighting plot caused concern, as it showed down-lighters at approximately 5m intervals ringing every block, without indication of whether these would be permanently on during the hours of darkness or the amount of light each would emit, and it was noted that the Landscape Impact of the proposed lighting was stated to be 'minimal' without detailing the

proposed scheme. Members felt that this amount of lighting on every elevation of the development would impact on the view from all directions, including the important Stowe side."

And to an Extraordinary meeting on 27th March 2017:

"Members discussed the new plans at an Extraordinary Meeting called for the purpose on 27th March 2017 and remain opposed to the proposal as not compliant with the Buckingham Neighbourhood Plan (outside the settlement boundary)."

The application was considered at SDMC on 18th May 2017 and Refused. The principal reasons were:

1. The proposed development constitutes a form of housing development that would provide residential accommodation for individual households. A significant element of the development site lies beyond the Buckingham settlement boundary identified under policy HP1 of the adopted Buckingham Neighbourhood Development Plan.
2. The proposal fails to provide an element of affordable provision and thereby conflicts with policy HP5 of the adopted Buckingham Neighbourhood Development Plan which requires that all proposals for new housing on sites of 1hectare or over (or 25 dwellings or more) should provide affordable housing at a minimum rate of 35%.

11. Development Management Committee

11.1 Strategic Development Management (1st November 2017) *No Buckingham applications*
(Friday 24th November 2017) *No Buckingham applications*

11.2 Development Management (2nd November 2017) *Cancelled*
(Wednesday 22nd November 2017) *No Buckingham applications*

11.3 To receive the Workload and Performance Quarterly Review for July-September 2017 submitted to the 22nd November DMC meeting (tables and statistics only; the appendices are summarised. The full report can be accessed via <http://democracy.aylesburyvaldc.gov.uk/documents/s8200/Report%20to%20DMC%20performance%20Q2%202017.pdf>)

Appendix D

12. Enforcement

12.1 To receive the October update via Cllr. Stuchbury

Appendix E

12.2 To report any new breaches

13. Transport

To report any damaged superfluous and redundant signage in the town.

14. Access

To report any access-related issues.

15. Correspondence

To receive for information an appeal from Civic Voice.

Appendix F

16. Executive Summary on VALP

To receive an Executive Summary on the Town Council's response to the draft VALP and agree to provide/share the response with The North Bucks Parishes Consortium for inclusion in their collective response.

Appendix G

17. News releases

18. Chairman's items for information

19. Date of the next meeting: Monday 18th December 2017 following the Interim Council meeting.

To Planning Committee:

Cllr. Ms. J. Bates

Cllr. D. Isham

Cllr. Mrs. C. Strain-Clark

Cllr. M. Cole Chairman

Cllr. A. Mahi

Cllr. R. Stuchbury

Cllr. J. Harvey Town Mayor

Cllr. Mrs. L. O'Donoghue

Cllr. M. Try

Cllr. P. Hirons ViceChairman

Cllr. M. Smith

Mrs. C. Cumming (co-opted member)

ACTION LIST

Appendix A

Min. 490/17	Planning Responses posted on AVDC website: 31/10/17	Min. 438/17 499/17	News release 1. Wates site 2. Streetlighting	Date of appearance 20/10/17 31/1/17
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Subject	Minute	Form	Rating √ = done	Response received
AVDC				
Poplars, Franciscan	374/17 428/17	Investigate 'revoking' further Write to Mr. Bercow and S/State & Min. Environment	√ √	Acknowledged
S106	186.3/17 374.4/17	Obtain info on good practice from LGA, DCLG, NALG Fol request to AVDC on Cliff Paternoster amendment 1. Narrow dates to May 2. Match answers to CP's amendments and send to Leader & Chairman	√ √ √ √	DCLG acknowledged but unable to give response date LGA acknowledged. Answer to be expected by 18/8/17; Chased 25/8/17; Received 17.10.19/17 with an apology for late response
Parent & Child parking spaces Planning Liaison Officer	193/17 308/17	Town Clerk to confirm installation Invite to Committee meeting	ongoing √	New Property Manager in post; investigating We would be delighted to attend one of your planning meetings; thank you for the invite. Please let us know the future dates that we would be able to come along and introduce ourselves. Just so that you are aware, we also handle a wide variety of areas alongside planning. Departments such as Recycling, Waste and Environmental Health all fall under our remit. As a result, we will be at hand to assist with a variety of matters. At the meeting, we will be able to go into greater detail about how we aim to be the key link between your Parish and multiple AVDC departments. Hazrat Hussain, Parish Liaison Officer Receipt acknowledged; see Agenda 5 Response received; unsatisfactory
Equality Act compliance	317/17 (489/17)	Send invitation letter Query to Equalities Commission as minutes Follow-up letter	√ √ √	See Agenda 7.3 Parish Liaison 13/10/17: I have caught up with the case officer and they have provided me with more information in regards to this application. They have some concerns with the points you have raised and is going to raise the issue
Ford Meadow parking & lighting				

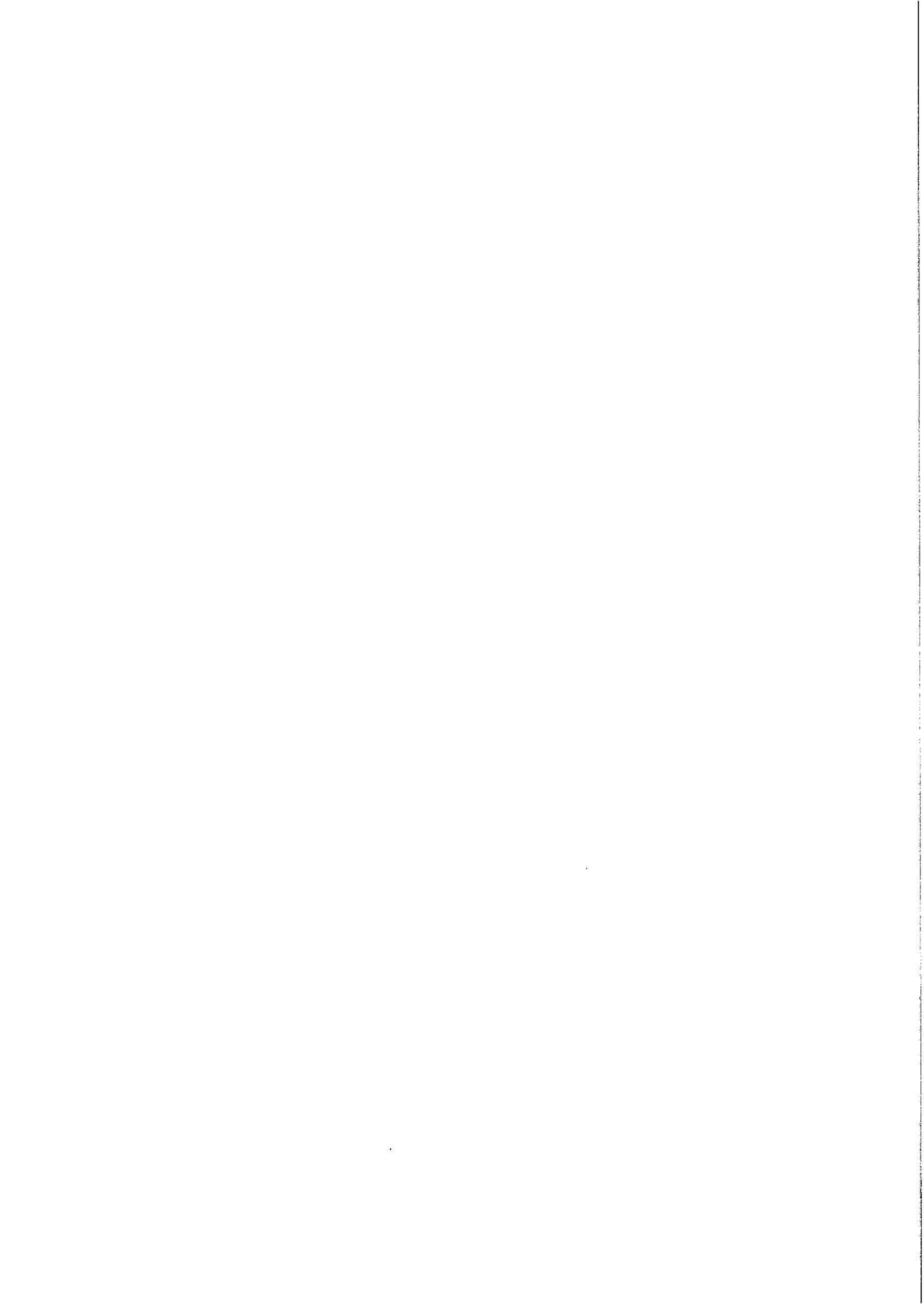
Subject	Minute	Form	Rating √ = done	Response received
	432.2/17	Write to University	√	with the University for clarity. The cease officer has also made enforcement aware of the situation and will keep them updated on how things unfold. As soon as I have more information I will contact you directly. The university has opened additional car parking spaces at Ford Meadows, (60 spaces), which will help ease the demand on parking space around the campus. Access is via the Ueard, so only open to staff and students. 27/10/17 Enforcement should report shortly
VALP submission	427/17	Letter as minuted	√	
Cornwalls Meadow	497/17	Position of ticket machine restricts access	√	
BCC:				
2 Bridge St	586.2	Response re actual parking available	√	Response replied to. See Agenda 7.2
	374.2/17	Letter as minuted to Dominos and Roosters	√	Roosters acknowledged and will do their best
	432.2	Request installation of railings to prevent parking ..or bollards like Loyds	√	
	493/17		√	
Addington Rd traffic calming	118/17	Check on progress	√	Cllr. Whyte (11/9/17) Verbal update provided to meeting
Waste & Minerals consultation	374/17	Respond to consultation	√	
		Circulate neighbouring parishes	√	
Development Management consultation	379/17	Respond to consultation	√	
Footpath 37	497/17	Report blockage	√	Alistair McVail, RoW, reported blockage cleared 10/11/17
Secure by Design	186.4/17	Circulate main points for assessing applications against	started	
Conservation Area	374/17	Mrs Cummings to organise meeting with Roger Edwards, & Cllrs Harvey & Cole to		

Subject	Minute	Form	Rating √ = done	Response received
Street/Estate Naming	433/17	explore raising profile of CA All Members to forward suggestions to Clerk for 30 th October-meeting	√	
Tingewick Road	494.2	Write to developers with suggestion	√	Acknowledged 8/11/17; will consult and respond
Nursery Bungalow	494.1	Write with agreed name	√	

Subject	Minute	Form	Rating ✓ = done	Response received
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Enforcement reports and queries

13 High Street	795.3/15 664.2	New signage & lighting Chase response (done regularly)	✓	P Dales: 12/5/17. 13 High Street, Buckingham: we had in the past met with the owner to secure the removal of the signs. Whilst this had not materialised we had been aware that its ownership may change and had hoped that the new owner may be have their own plans and/or may be receptive. However, this has not materialised and so I have asked our consultant enforcement officer Will Holloway to take on the case and we will keep you informed of progress. 26/10/17 I have written to the operator of the premises asking them to confirm a timetable for the removal of the signage. If a timetable is not agreed then the Council will have to consider formal action. I will update you further when I have received a response from the operator. J Wilmot Planning Enforcement Consultant
Dominos	313.2/17	Compressor unit not as plans; motorbikes and skips blocking alley Awaiting response from officer on discharge of Condition 4 – Waste disposal	✓	17/00169/CON3 Parish Liaison Officer has in hand
Police Station wall	117.2 250.1/17	Report damage Ask for copy of officer's report	✓ ✓	Case file opened 17/00226/CON3 Parish Liaison: "The enforcement officer has informed me that this particular case is now closed. They concluded there was no breach of planning permission. Reports are not created for these enforcement investigations." Buckingham Society have sent photographs of damage to wall for forwarding to AVDC (done) Case file reopened
Costa tables and fixed barrier	313.3/17	Tables out on market day and fixed barrier contrary to approval	✓	AVDC Case number 17/00386/CON3. BCC Licencing following up barrier contravention: Officer has contacted to say in hand, barrier hopefully removed before Fair
Garden encroachment into Maids Moreton Avenue	378/17	CC to have photos sent to office Office to report breach	Received ✓	
Cornwalls Meadow path	381/17	Ask why no planning application & consultation	✓	
New barbers – ex-pet shop	493.2/17	Permission needed for new signage?	✓	



Agenda Item 5.2, Planning 27/11/17

Town Hall forecourt parking



Following a meeting with Ian Thomas (Senior BCC Parking Officer), Cllr. Warren Whyte & the Town Clerk on site on 14th November 2017 the following has been established

1. The Town Hall frontage is a loading bay, except for a strip along the front of the building marked by the remains of a white line.
2. In the picture above, up to the white line at right angles to the kerb by the post the area is governed by the crossing zigzags, therefore no parking permitted in the roadway, and parking behind on the paving cannot be regulated.
3. From the white line up there are double yellow lines, so no parking permitted either side unless the vehicle is actually loading or unloading in the marked area of paving. Loading a pizza for delivery counts, as does unloading a bag of clothes for Oxfam. A warden would have to watch for 3 minutes to establish whether loading/ unloading was taking place and could then ticket the vehicle. The ticket could be appealed, but evidence (a delivery note or waybill, or a large order to be collected from, say, WHSmith) would have to be produced. Any activity extra to the loading/unloading eg popping into the bakery for a bun is ticketable.

KM
14/11/17

Katharine McElligott

From: Equality Advisory Support Service <eass@custhelp.com>
Sent: 11 November 2017 10:16
To: Katharine McElligott
Subject: Your ref 171023-000009 Members considered your response, and find that it does n... [Enquiry: 171109-000091]

Recently you requested personal assistance from our on-line support centre. Below is a summary of your request and our response.

If this issue is not resolved to your satisfaction, you may reopen it within the next 30 days.

Thank you for allowing us to be of service to you.

Subject

Your ref 171023-000009 Members considered your response, and find that it does n...

Discussion Thread

Response Via Email (Shemina)

11/11/2017 10:16

Date: 11/11/2017

Reference number: 171109-000091

Subject: Disability Discrimination

Dear Christopher Wayman

Thank you for your response to the Equality Advisory and Support Service.

Unfortunately, due to you being a service provider we are not able to provide any advice, due to conflict of interest. The EASS advice individuals on possible discrimination, as stated in the letter we sent.

We advise all service providers to seek legal advice in any query relating to the Equality Act 2010 as we are not able to.

There is a guidance for service providers, which can be found on the Equality and Human Rights Commission (EHRC) website: www.equalityhumanrights.com.

Alternatively you can seek advice from your Local Chamber of Commerce who may be able to assist you further with any enquiry regarding the Equality Act 2010.

I appreciate that this may not be the answer you are looking for, but I hope that this information helps you in your issue.

Regards

Shemina

Equality Advisory Support Service

You can also contact us by telephone and textphone

Telephone- 0808 800 0082

Textphone- 0808 800 0084

For regular updates about our service follow us on:

Facebook: www.facebook.com/EqualityAdvisorySupport

Twitter: @EASShelpline

Legal Disclaimer

This email has been originated by the equality Advisory and Support Service (EASS) which provides information and advice on discrimination and human rights and is not a legal advice service. The EASS provides information about the Equality Act 2010 and the Human Rights Act 1998. We recommend you consult a lawyer if you want legal advice, wish to take formal legal action or want advice on the merits of your case. This email message, including any attachments, is from the Equality Advisory and Support Service and is intended for the addresses only. It may contain information and is privileged and confidential. If you are not the intended recipient, you must not copy, distribute or take any action in reliance of it.

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If this email message has been sent to you in error, Please notify us immediately by replying to this email. The Equality Advisory and Support Service accepts no responsibility for any changes made to this message after it has been sent by the original author. This email or any of its attachments may contain data that falls within the scope of the data protection Acts. You must ensure that any handling or processing of such data by you is fully compliant with the requirements of the Data Protection Act 1984 and 1998.

Customer By Web Form (Christopher Wayman)

09/11/2017 15:10

Your ref 171023-000009

Members considered your response, and find that it does not answer the question asked, which was not for legal advice, but advice on how a Town Council can make the District Council take Equality into account as a standard part of assessing planning applications, especially in buildings and open spaces with public access. They treat it as optional, permitting step access when a ramp would be feasible, and so on.

Question Reference #171109-000091

Date Created: 09/11/2017 15:10

Last Updated: 11/11/2017 10:16

Status: Resolved

Incident Country:

Let Us Know: No

Your Rights: Disability Discrimination

RequestForInfo:

Strategic Referral: No

For Info: No

Report to Development Management Committee

Workload and Performance Review for Quarter July to September 2017

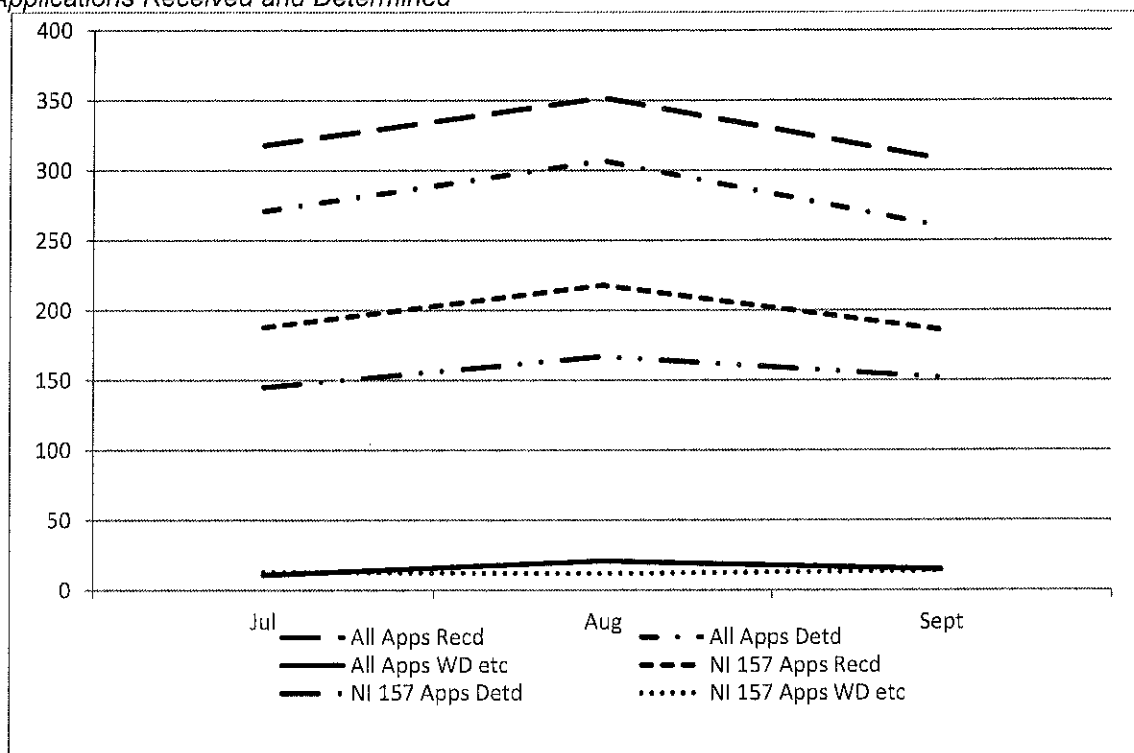
Introduction

This is a report to the Development Management Committee which provides a summary of performance in four key areas of work, planning applications, appeals, enforcement and informal enquiries, together with a brief commentary on each section.

Section 1: Applications received and determined

Our application caseload comprises applications which form the basis for our performance measured against the Government performance target NI157 and other applications which are excluded from these categories and relating to proposals amongst which are applications from the County Council, Notifications for Agricultural, Telecommunications and works to trees. This is set in the context of the rolling 12 month period.

Applications Received and Determined

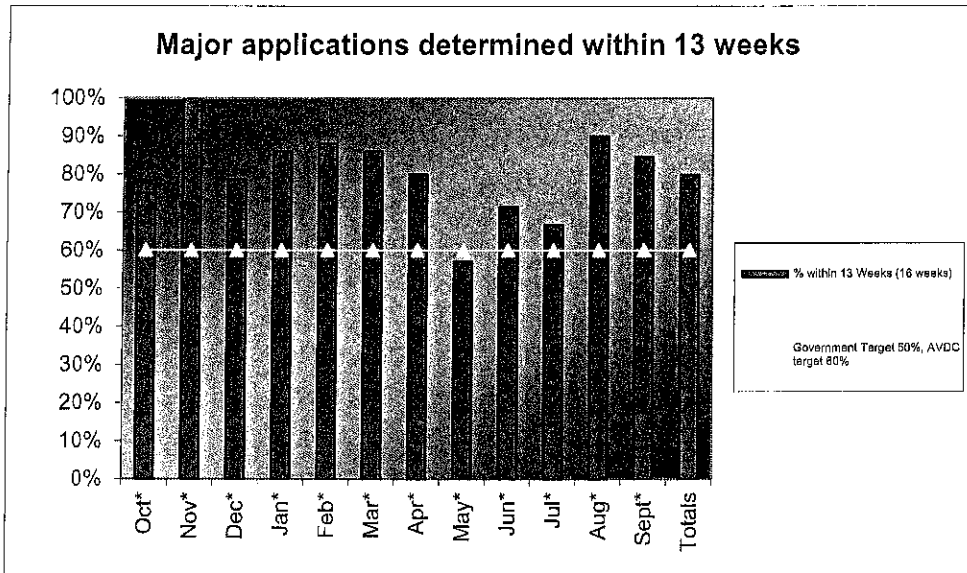


	Jul	Aug	Sept
All Apps Recd	318	352	308
All Apps Detd	271	307	260
All Apps WD etc	11	21	15
NI 157 Apps Recd	188	218	186
NI 157 Apps Detd	145	167	152
NI 157 Apps WD etc	13	12	14

Section 2: NI 157 – Speed of Determination of applications

Introduction

This section sets out information regarding our performance in speed of decision for each of the 3 categories of applications, which are measured against the performance target – NI157 (a) major, (b) minor, and (c) other.



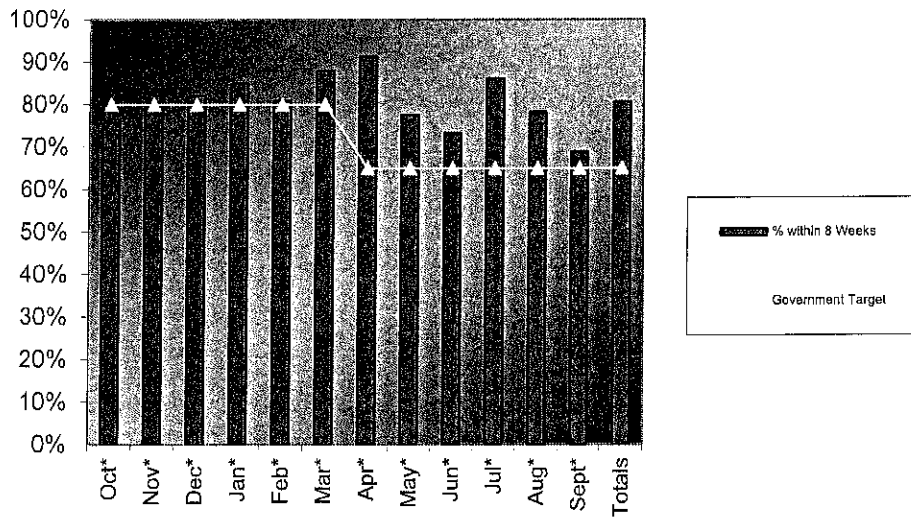
	Oct*	Nov*	Dec*	Jan*	Feb*	Mar*	Apr*	May*	Jun*	Jul*	Aug*	Sept*	Totals
Number of Major Applications Decided	8	2	14	7	8	7	10	7	7	6	10	13	99
Number within 13 Weeks (16 weeks) inc. Ext of time*	6	2	11	6	7	6	8	4	5	4	9	11	79
% within 13 Weeks (16 weeks)	75%	100%	79%	86%	88%	86%	80%	57%	71%	67%	90%	85%	80%
Government Target 50%, AVDC target 60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%

*including extensions of time & PPAs

The quarterly performance achieved are:

83%

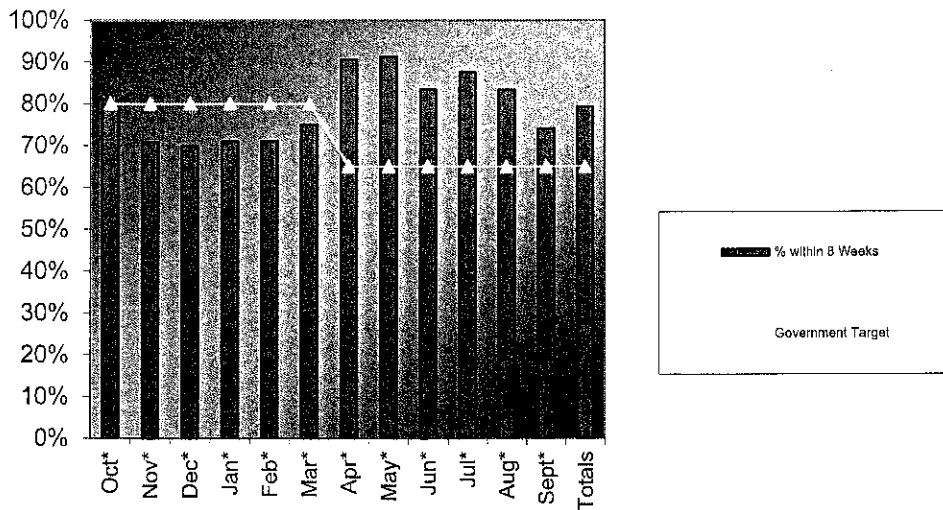
Minor applications determined within 8 weeks



	Oct*	Nov*	Dec*	Jan*	Feb*	Mar*	Apr*	May*	Jun*	Jul*	Aug*	Sept*	Totals
Number of Minor Applications Decided	33	54	39	40	53	33	58	49	60	29	46	29	523
Number within 8 Weeks inc. Ext of time*	25	43	32	34	43	29	53	38	44	25	36	20	422
% within 8 Weeks	76%	80%	82%	85%	81%	88%	91%	78%	73%	86%	78%	69%	81%
Government Target	80%	80%	80%	80%	80%	80%	65%	65%	65%	65%	65%	65%	65%

*Including extensions of time

Other applications determined within 8 weeks



	Oct*	Nov*	Dec*	Jan*	Feb*	Mar*	Apr*	May*	Jun*	Jul*	Aug*	Sept*	Totals
Number of Other Applications Decided	109	113	100	121	100	138	116	137	139	105	108	105	1390
Number within 8 Weeks inc. Ext of time*	87	80	70	86	71	103	105	125	116	92	90	77	1102
% within 8 Weeks	80%	71%	70%	71%	71%	75%	91%	91%	83%	88%	83%	73%	79%
Government Target	80%	80%	80%	80%	80%	80%	65%	65%	65%	65%	65%	65%	65%

*Including extensions of time

For minor and other applications the government previously had no target and so the target of 80% shown was set internally by AVDC. From 1 April 2017 a government target of 65% has been set for minor and other applications.

For the quarter July to September we achieved

Minors: 78% within the time period against a target of 65%
Others: 81% against a target of 65%

Appendix 1 details the Major applications determined in the quarter.

The first planning authorities subject to the Government's "special measures" regime for under-performing authorities were designated in October 2013, and performance data was published by the Department for Communities and Local Government (DCLG). Designations will be reviewed annually. Poorly performing authorities will be "designated" based on speed and quality:

- * Speed: less than 40% of majors determined within 13 weeks averaged over a two year period; or within such extended period as has been agreed in writing between the applicant and the local planning authority.
- * Quality: 20% or more of major applications that have been overturned at appeal (appeals allowed) over a two year period.

The government have announced new government targets increasing those on speed for majors to 50% in 2017 rising to 60% for 2018 based on the previous 2 years October to September. They are combining minors and others into a non major category with a target of 65% in 2017 rising to 70% for 2018 over this 2 year period. The quality targets will be 10% applications that have been overturned at appeal (appeals allowed) over a 2 year period.

Authorities could be designated on the basis of either criteria or both. The current performance over this 2 year period exceeds the threshold for speed and is less than the threshold for quality and thus does not fall within the poorly performing designation.

Section 3: Appeals against refusal of planning permission

Introduction

This section deals numerically with our performance in relation to appeals against refusal of planning permission. Whilst there is no government performance target a benchmarking measure is that we should seek to achieve success in 65% or more of appeals against planning decisions.

Determined	Dismissed	11
	Allowed	3
	Withdrawn/NPW	0
	Split	0
	Turned Away	0
	Varied	0
Costs	Against AVDC	
	For AVDC	

*Split decisions are counted as an Allowed appeal

In the quarter between July and September a total of 20 appeals were determined, 14 of which were against refusals of planning permission. Of the 14 appeals against refusals of planning permission which are used for reporting purposes 21% were allowed which is below the Council's target of not more than 35% appeals allowed.

Attached at Appendix 2 is a list of all of the appeal(s) which are used for reporting purposes against refusals of planning permission that were allowed. As there are a large number of appeals a summary on all has not been provided. There is a summary on some highlighted for awareness and learning points.

The government statistics published in August 2017 for quality show that the percentage of major applications that have been overturned at appeal is 2.4% and that for minor and other developments overturned at appeal is 1.1% for AVDC during the period of 24 months from July 2014 to June 2016. This is well below the governments threshold of 10% overturned for quality.

Section 4: Enforcement

Introduction

This section details statistics relating to Enforcement matters and details the numbers of complaints received, cases closed together with the number of cases which have led to Enforcement action. Enforcement appeals are also dealt with separately and performance can be assessed accordingly.

Cases on hand at beginning of quarter	438	Cases on hand at end of quarter	438
Cases Opened	137	No of Cases closed	130
No. of Enforcement Notices Served	2	No. of Temporary Stop Notices Served	0
No. of Stop Notices Served	0	No. of Breach of Condition Notices Served	0
		No. of Planning Contravention Notices Served	1

Enforcement Appeals

Lodged	PI (Public Inquiry)	0	Determined	Allowed	0
	IH (Hearing)	0		Dismissed	0
	WR (Written responses)	0		W/Drawn	0
	Total	0		Varied	0
				Total	0
Costs	For AVDC	0		Against AVDC	0

Enforcement Summary

The number of enforcement cases to hand at the end of this period remains high and reflects the increase in applications and development commencing, particularly in the south of the vale . We are in the process of reviewing resource in this area and in the interim have engaged additional staff resources to deal with this increase.

Section 5: Other Workload

Introduction

In addition the teams have dealt with the following:-

Discharge of Conditions and non material amendments.

Quarter – Out 141

Chargeable Pre-Application Advice, including commercial

Quarter - Out 111

Non chargeable Informals

Quarter - Out 42

Conclusion and Recommendation

It is recommended that the Committee **NOTE** the report.

This report primarily intends to give details of factual information based on statistical data.

It is hoped that Members find the report's content helpful.

Workload and Performance Review July - September 2017

Appendix 1 - summary

Table of Major Applications determined this quarter, with details

These are in date order of validation, starting at 2/8/15, latest 28/4/17, spread reasonably evenly over the intervening months; those with an agreed extension of time are marked with an *, and those determined outside the target period (13 weeks) are in bold. 23 of the 29 are marked * and 5 are in bold. There is no explanation of why the earliest application (refused 2 years and one month after validation) has not been marked as being in either category.

Two are in Buckingham:

15/04106/AOP (*) Land adj. 73 Moreton Road [opposite the Old Police Station]

valid 4/2/16, decision 19/9/17 (19 months)

17/00057/APP (*) Premier Inn/Costa/Beefeater, Lace Hill

valid 23/1/17, decision 3/7/17 (23 weeks)

Clerk's note: of the undecided applications noted in the BTC statistical report for 2016, the following remain undecided at 16/11/17:

Application	Address	nature	validated	BTC response
15/01242/AOP	Land South Of The A421 Tingewick Rd	Allotments & cemetery	17 April 2015	Conditional support
16/00151/AOP	Land off Walnut Drive, Maids Moreton	Up to 170 houses	20 January 2016	Oppose & attend
16/00940/APP	West End Bowls Club, Brackley Road	Demolish clubhouse, erect 1 house	11 March 2016	Support
16/02320/AOP ¶	Land east of Buckingham, Stratford Road, Maids Moreton	Up to 170 houses	23 June 2016	Oppose & attend
16/02641/APP	Hamilton Precision site, Tingewick Road	51 residential units	21 July 2016	Oppose & attend
16/03784/APP ¶¶	The Villas, Stratford Road	1 flat above garage	21 October 2016	Oppose & attend

¶ currently subject to an appeal on non-determination

¶¶ decided, but currently subject to an appeal against refusal

Appendix 2 – summary

Details of Appeals

“In the quarter between July and September a total of 20 appeals were determined, 14 of which were against refusals of planning permission. Of the 15 appeals against refusals of planning permission which are used for reporting purposes 29% (4) were allowed which is below the Council’s target of not more than 35% appeals allowed.

A list of all the allowed appeals in this quarter is set out below.”

Contrast the statement on p5 of the Report

“In the quarter between July and September a total of 20 appeals were determined, 14 of which were against refusals of planning permission. Of the 14 appeals against refusals of planning permission which are used for reporting purposes 21% were allowed which is below the Council’s target of not more than 35% appeals allowed.”

The anomaly – 14 or 15? – might be explained by the ‘list below’ containing details of 5 application sites, one of which has two application numbers, but that would mean 5 out of 14 appeals = 35.7%. If counting the double application separately, 6 out of 15 = 40%. Each of the 5 is described in some

detail with the Inspector's comments. None are in Buckingham (the appeal decision on Summerhouse Hill was made in October).

There is no indication of what the grounds for the remaining appeals were, nor the results. Presumably these are not required for the Government's reporting system, but it would be interesting to know how many were for non-determination and how many were allowed.

Additional comment: the Enforcement Table on p5 doesn't make sense either – if there are the same number of cases at the beginning and end of the quarter, surely the number of cases opened and closed should be the same?

KM
16/11/17

Enforcement Investigations
Received During October 2017

17/00462/CON3 **BUCKINGHAM NORTH WARD**
Alleged unauthorised siting of a caravan to front of property being used for residential accommodation
2 Grenville Road Buckingham Buckinghamshire MK18 1LR
Case Officer: Pauline Hawkins

17/00507/CON3 **BUCKINGHAM NORTH WARD**
Alleged unauthorised replacement front fascia advertising signage on a Grade II Listed Building in a Conservation Area
Mark Green Scissors Barbers The Bull Ring Market Hill Buckingham MK18 1JX
Case Officer: Pauline Hawkins

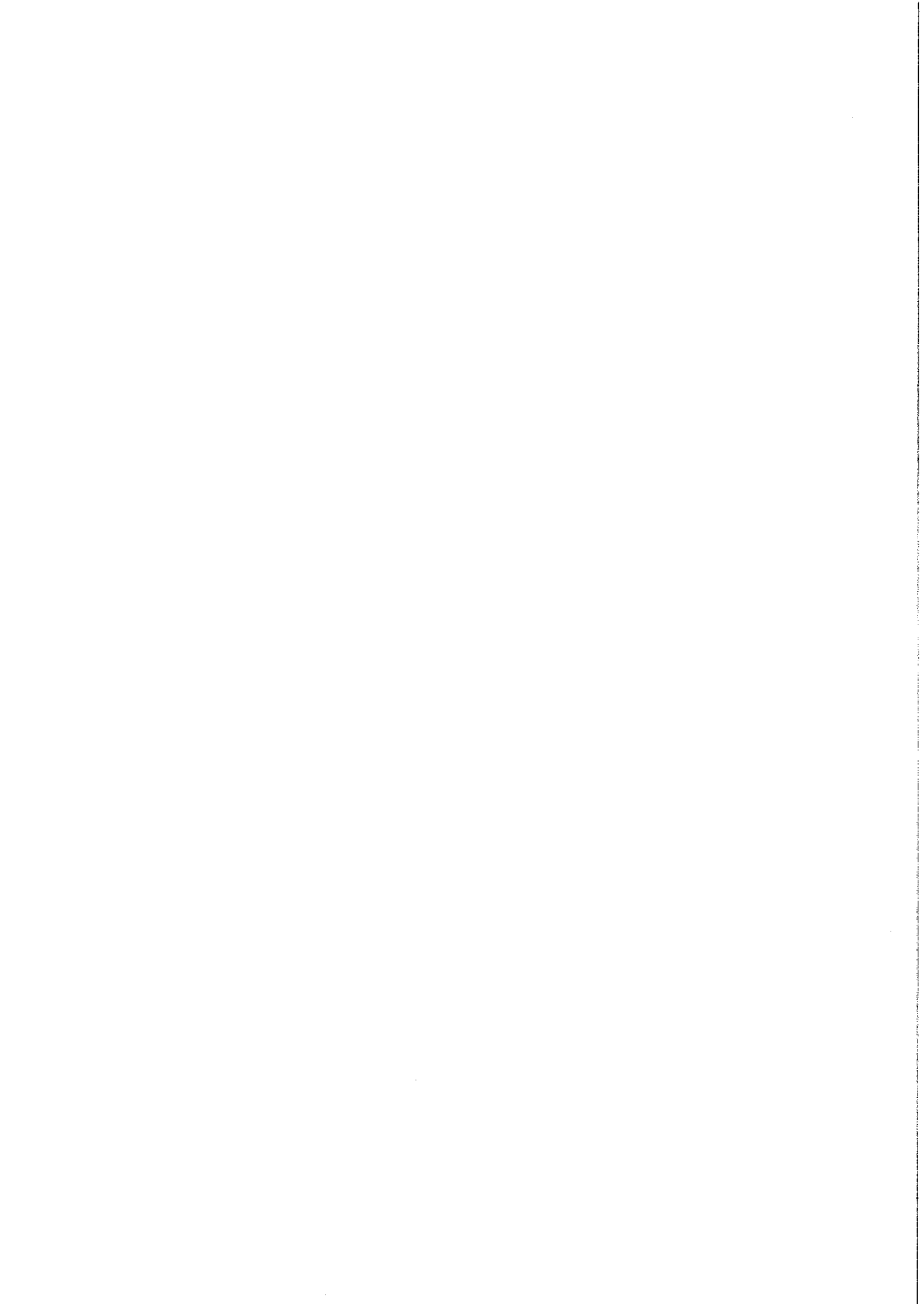
Enforcement Investigations
Closed During October 2017

17/00322/CON3 **BUCKINGHAM SOUTH WARD**
Alleged unauthorised erection of extension/conservatory without planning permission in breach of Condition 9 (removal of PD Rights) under 13/01549/ADP
9 Bobbins Way Buckingham Buckinghamshire MK18 7SA
Closed: Planning permission granted
Case Officer: Nazia Begum

17/00347/CON3 **BUCKINGHAM NORTH WARD**
Alleged unauthorised erection of shed in front garden
6 Orchard Dene Buckingham Buckinghamshire MK18 1PX
Closed: No breach of control
Case Officer: Nazia Begum

17/00370/CON3 **BUCKINGHAM NORTH WARD**
Alleged unauthorised construction of a rear extension
1 Wharf Hill Terrace Stratford Road Buckingham Buckinghamshire MK18 7AT
Closed: Planning permission granted
Case Officer: Nazia Begum

17/00431/CON3 **BUCKINGHAM SOUTH WARD**
Alleged unauthorised works to trees whilst application 17/03432/ATP is pending (16/01413/APP also refers)
Land Off Chandos Road Buckingham Buckinghamshire
Closed: Not expedient to take action
Case Officer: Gary Dunne





Dear Christopher,

There are now 512 conservation areas at risk, facing common problems such as unsuitable replacement windows, doors and extensions, poorly maintained streets and neglected green spaces. But is this number accurate?

Civic societies, community groups and conservation officers have been in touch with Civic Voice querying this number saying that they believe the number to be higher.

We are hearing that local authorities have been reluctant to highlight conservation areas "At Risk", for reasons, including:

- It would reflect badly on the Council, in appearing as if it has failed in its duties to protect and enhance the area
- With a lack of resources such as the loss of conservation officers, they have no way to turn around a deteriorating conservation area.

I have sympathies for local authorities on both points, but it has got me thinking... If we know the 512 "at risk" areas, should we not also be identifying the 512 most outstanding conservation areas.

This is not a new idea.

Did you know in the 1970s the Government started identifying "outstanding conservation areas". If you know anything about this initiative, do tell the Civic Voice team. If you think you have the "best conservation area", tell Civic Voice, I am sure they would like to see the examples to celebrate good practice across the civic movement.

Donate now to protect Conservation Areas

I am pleased that Civic Voice is trying to revert the changes and to celebrate the impact of Conservation Areas. A key step towards effective long term management of conservation areas is appropriate resource. That requires national campaigning.

We need your help.

Will you, Christopher and Buckingham Town Council donate £50 to help fund a Parliamentary event for Civic Voice so that we can discuss the long term future of conservation areas. Will you donate to help us make the case to MPs for appropriate investment into conservation areas?

We need to raise £5000 to help us publish a report on the impact of loss of conservation officers. Will you help us?

- £250 will allow us to meet 5 MPs
- £1000 will allow us to organise an All Party Parliamentary Group for Civic Societies event to discuss the future of conservation areas
- £5000 will help fund a publication explaining the impact of funding cuts across the country.

Some people are saying the situation will never change. We disagree. With your support today, Civic Voice can become the national voice for conservation areas to make sure as a country we continue to say "My Conservation Area Matters".

Thank you

Laura Sandys,
Civic Voice Vice-president

We have moved! Note our new address: Civic Voice, The Coffin Works, 13-15 Fleet Street,
Jewellery Quarter, Birmingham, B3 1JP

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registration number 1134476

Summary of the Buckingham Town Council's Response to draft VALP

- (1) Buckingham Town Council [BTC] welcomes an up-to-date Local Plan recognizing that this is essential to preventing further opportunistic development in the Buckingham Neighbourhood Plan Area and the district as a whole.

In making the following observations as to the soundness of the submission VALP, BTC seeks to ensure that a robust plan for both the district and the Buckingham Neighbourhood Development Area is achieved.

- (2) Neighbourhood Development Plans S 8 [and throughout document]

(i) The Plan lacks clarity on the status of Neighbourhood Plans **made already** within the District. S 8 deals only with new NDPs coming forward. Setting aside the legal position which does not need to be restated, there does not seem to be consistency in approach in the document itself—relying on NDPs in places but not in others [eg mention is made of BNDP retail provision as part of delivery of retail space within District]. When not following NDPs eg site allocations it is not explained why there is a departure.

Unsound on the basis that the relationship between VALP and existing NDPs is not clear and is thus open to ambiguity in terms of overall Development Plan for the area.

(ii) No specific meetings with parish/town councils with existing plans as to forward plans. Although acknowledged that plans were made in the knowledge that Local Plan may require additional housing numbers, it would seem that settlement boundaries have had little weight in the selection of sites.

(iii) Impact on affordable housing – many plans were supported by local residents due to developments offering reasonable number of affordable homes.

(iv) It is also not clear whether Design requirements made and other matters under NDPs are now superseded by VALP or retained for the relevant areas.

- (3) Co-operation between neighbouring districts

- (i) No consultation/co-operation with neighbouring district councils to the north – South Oxfordshire District Council; South Northants District Council & Milton Keynes Council
- (ii) Whether as a result, it is sound to assume that unmet needs identified from other neighbouring districts to the south can be met by housing allocations in the north of the district, and is unmet need in other districts not required to be accommodated in north of district. Ultimately may go to soundness of housing numbers and site allocations especially in strategic settlements.

(4) Housing

- (i) Affordable Housing that figure of 25% is unsound.
 - (a) has not taken into account other evidence such as rising figures in Housing Register
 - (b) current underdelivery of housing, reducing the number of houses that will be delivered at the current higher percentage;
 - (c) inconsistent with immediately previous policy including NDPs;
- (ii) Housing Mix
 - (a) lack of reference to public sector duty under Equality Act 2010 Section 1 – must inform the Plan and any Design Statements under it;
 - (b) failure to safeguard small house numbers by compensating for extensions to small houses within the planning regime of permitted rights by provision for adjusting housing mix figures for said loss.
 - (c) Inconsistency in trigger for provision of extracare homes [para.5.61 – “It is considered that the “larger” residential schemes referred to in the policy will be for more than 300 homes but H6 Housing Mix policy but says larger developments proposing 100 dwellings and above]
 - (d) Failure to consider childcare facilities to prevent applications for change of residential use and loss of housing stock [Lace Hill recent planning application] – better linkage to I3 – Community facilities.
- (iii) Site Allocations for Buckingham
 - (i) BUC043 – Moreton Road – 130 homes
 - (a) Inconsistent with VALP policy S3(b) as to coalescence

(b) Perverse in face of NDP and recent planning inquiry and weight given by Secretary of State to NDPs.

(c) Failure to consider infrastructure in terms of roads and transport in terms of Maids Moreton when separate housing allocation for the village is considered.

(d) As this would produce a requirement under H6 for extracare home – whether this is a suitable site for such provision, and whether other more suitable offsite provision would be available.

(ii) BUC046 Land off Osier Way – 420 homes

(a) Inconsistent with VALP policy T6 regarding pedestrian and cycle access

(b) Inconsistent with VALP policy E5 – town centre first [NPPF] -if development is not within easy reach of town centre, residents will be more likely to use cars and seek retail services with easy parking out of town or away from Buckingham.

(c) Whether this is a suitable site for extra-care provision under policy H6 as above.

(5) Employment

(i) Protection of employment sites in Buckingham

(a) Allocations under BNDP are not protected – there is inconsistency as these are calculated as part of available employment land in HEDNA but not included in D5. D5 allocates employment sites but does not “save” allocations in NDPs.

(b) Buckingham Industrial Park is a protected site in E1 but others will be subject to E2.

(ii) Silverstone Circuit

a) No indication of how support will be given to development through improvements in public transport or roads and cycleways between closest strategic settlement of Buckingham and the site. E10 (b) – delivery?

(iii) Home working E4 – Fails to recognise the increasing importance to economy of home working; whilst protection from nuisance to neighbours and effective change of use of premises needs to be achieved; a more positive provision would include the necessity of securing good broadband provision for new dwellings as equivalent to utility provision for developers. [Lace Hill experience] I6 (b) aids but question as to whether viability is acceptable in the same way as utilities must be viable; rather than viability and technical exceptions.

(6) Education

(i) Failure to engage within VALP

- (ii) Specific inconsistencies – Failure to consider BCC education policy of selective grammar schools - Salden Chase allocation within RLS catchment area but no provision stated for support; secondary and primary schools to be part of development but no mention of grammar school provision.
- (iii) Specific provision for childcare and nursery facilities within I3 and associated policy explanation as part of Community facilities.

(7) Transport

Soundness of non-inclusion of possible routes for Oxford/Cambridge Expressway at T3 – possible development in Buckingham's case such as BUC046 [Osier Way] may have impact on possible northern route as 100 homes to be delivered between 2018 and 2023 in site allocation. It is possible that planning permission and work may have started by the time a government decision is made as regards route. Whether an immediate review of VALP in response to that decision will be sufficient is debatable, as intermediate planning permissions may influence/determine that decision.