



BUCKINGHAM TOWN COUNCIL

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Town Clerk: Mr. C. P. Wayman

Monday, 08 January 2018

Councillor,

You are summoned to a meeting of the Planning Committee of Buckingham Town Council to be held on Monday 15th January 2018 **at 7pm** in the Council Chamber, Cornwalls Meadow, Buckingham.

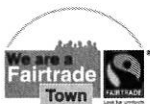
C.P. Wayman
Town Clerk

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 18th December 2017 to be put before the Full Council meeting to be held on 22nd January 2018.
Copy previously circulated
- 4. Buckingham Neighbourhood Plan/Vale of Aylesbury Plan**
To receive any update from the Town Clerk.
- 5. Action Reports**
To receive action reports as per the attached list. **Appendix A**
- 6. Planning Applications**
For Member's information the next scheduled Development Management Committee meetings are 25th January and 15th February 2018, with SDMC meetings on 24th January and 14th February 2018.

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.

To consider planning applications received from AVDC and other applications

1. 17/04424/AAD Land off London Road [*Lidl*]
Two 2.5m x 2.5m illuminated fascia signs; three 6.3m x 3.05m wall mounted advertising hoarding signs; one 7.45m x 2.67m illuminated totem sign
Hiden [GVA Grimley Ltd]
2. 17/04624/APP 10 Bath Lane, MK18 1DU
Proposed demolition of existing outbuildings and construction of new outside store (Part-retrospective)
Dyke
3. 17/04725/APP Land rear of 10 Market Square, MK18 1NJ
Erection of four dwellings
Burgess
4. 17/04734/APP 6 Rogers Lane, MK18 1WJ
Loft conversion with two pitched roof dormers to front roofslope, rooflights to rear roofslope and rooflights to side roofslope
Hanlon
5. 17/04746/APP 1A Hillcrest Rise, Buckingham Industrial Estate, MK18 1SL
Two commercial units (B1)
Blackwell Projects Directors Pension Scheme
6. 17/04763/APP 46 Kingfisher Road, MK18 7EY
Single storey rear extension, new windows in side elevations
Watts
7. 17/04776/APP Willowby, Bath Lane, MK18 1DX
Demolition of existing bungalow and rebuild bungalow with attached garage
Hough
8. 17/04784/APP 11 Swallow Close, MK18 7ER
Single storey side extension
Robbins
9. 17/04861/APP Stoneleigh House, Castle Street, MK18 1BP
Change of use of 7 bedroom residential property to a 6 bedroom hotel with associated works
Parslow

This is a duplicate of 17/04023/APP which has been approved already (see below), but a correction has had to be made to the red line plan, so a new application has to be made. There is no difference to the previous application aside from this.

ADDITIONAL PLANS: NOT IN OUR PARISH

10. 16/00151/AOP Land off Walnut Drive and Foscode Road, Maids Moreton,
MK18 1QQ
Outline application with all matters reserved except access for up to 170 dwellings, public open space and associated infrastructure

Blumire [Barratt/David Wilson Homes]

Additional document: revised Transport Assessment and associated correspondence with BCC in regard to the changes to the Stratford Road/College Road [Mill Lane] junction.
A summary is attached. PI/49/17

Not consulted on:

11. 17/04706/ACL 4 Osprey Walk, MK18 1JA
Application for a Lawful Development Certificate for a proposed removal of existing conservatory and erection of single storey rear extension.

Tarr

An advice email has been received (5/1/18) indicating that the Certificate has been issued, but there is no copy on the website at this date.

12. 17/04707/ATP Land between Brookfield Lane & Chandos Road, MK18 1EA [Waglands Garden proper]
i. Reduce Thuja by approx. 4-5m; tree is excessively shading neighbour at 24 Chandos Close
ii. Light reduction on Norway Spruce by 3-4m; excessive shade on neighbouring property at 24 Chandos Close
Westley [Waglands Garden's Management Company]

The following information has been received, for information only:

14. 17/A0057/NON Beefeater Restaurant, Lace Hill.
Non material amendment sought on planning permission 17/00057/APP relating to internal rearrangement of single storey Beefeater to re-orientate the pedestrian entrance

The proposal is to relocate the restaurant entrance on the side facing the Premier Inn; the previous main entrance was on the spine road facing towards Lidl, and has been demoted to Fire Exit. This is more convenient for the Premier Inn customers and the car park. The flagged footway has been extended round the building to match and is level (no steps). The internal layout has also been changed but still seats 190. The new entrance has had a feature tower added above the roof level rather taller than the curved roof of the tower over the previous entrance. Comparison drawings will be available in the Chamber at the meeting.

7. Planning Decisions

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

		BTC response	Officer recommⁿ.
Approved			
17/02256/AAD SH Harrold, 3 Bridge	St. Illuminated fascia sign (retrosp.)	No objections	-
17/03922/APP28 Candleford Court	Ch/use café (A3) to gymnasium (D2)	No objections	-
17/03959/APP 2 Jacob	Conv. loft with dormers & rooflights	No objections	-
17/04023/APP Stoneleigh Ho.	Ch/use residential to hotel	Support subj. HBO	-
17/04223/APP 5 Boswell Court	Conv. conservatory to permanent structure	No objections	-
17/04247/APP 1 Jacob	Single storey rear extension	No objections	-
Refused			
16/00337/APP Well Street Centre	Re-fenestration of old part of bldg.	Oppose & Attend	-
17/02448/APP 16 Meadow Gardens	Front fences – retrospective	Oppose & Attend	-
17/03760/COUM 24 Market Hill	Whether prior approval required for change of use shop → residential	No objections	-

Decision quashed

16/03302/APP Land behind Grand Junction: 61 bed care home & 14 assisted living apartments. Following completion of a satisfactory s106 agreement, this application was formally approved on 25th October 2017. However Montpelier Estates (developer for the Lace Hill care home) submitted an application for a judicial review of the decision. AVDC has decided that, in light of inadequacies in the Officer's report to the Committee, the decision should be quashed and the matter remitted back to the council in due course to re-determine.

Members are asked to consider any action this Committee might take, and may like to note that the information was conveyed to this Council by Cllr. Mills and not directly. Mrs Kitchen's email was sent to the four Ward councillors and Cllr. Whyte, as County Councillor.

8. Planning Inspectorate

8.1 An appeal was lodged on 20th December 2017 on application 17/01694/APP (2 Butterfly Close, Insertion of front and rear roof lights, approved 12th September 2017 (grounds for appeal attached, **Appendix B**). If Members wish to add any further comments, these have to be with the Inspector by 24th January.

Members initially responded (5/6/17) **OPPOSE & ATTEND** – "Members noted that the red line curtilage was at variance with the original phase drawing boundary which showed only one parking space in front of the shared garage, the remainder of the area between the two houses being designated for the turning space required by the refuse lorry (and other large traffic). The Close was so narrow that any on-street parking rendered turning difficult for a car.

The Committee had no objections to the proposed roof lights, but the conversion of the loft added a fifth bedroom to the dwelling, which did not appear to have the guideline 3 spaces within the curtilage at present, and opposed the application on the grounds of inadequate parking and effect on highway safety – vehicles reversing out into the estate spine road because there was no room to turn and emerge forwards."

(24/7/17) Further information had been supplied in Land Registry documents showing the actual curtilage to be larger than that outlined in the original documents, and to encompass not only the space in front of the garage but the whole road width at this point and the frontage including the layby beyond the plot boundary, with the capacity to accommodate 5 vehicles. Members consequently withdrew their opposition to the application and changed it to **NO OBJECTIONS**.

8.2 To note that the hearing into the non-determination appeal on 16/02320/AOP (Land to the east of Buckingham, Stratford Road; 170 houses, amenity space, etc) is scheduled for 23rd January 2018 at The Gateway. The Chairman has volunteered to attend and observe.

8.3 17/01978/APP 1 Lace Lane; change of use from residential to day nursery. Appeal against refusal. *Appeal has been withdrawn.*

9. Equality Advisory Support Service (Min. 549/17 refers)

To receive and discuss the EASS's response to Cllr. Harvey's personal enquiry.

Appendix C

10. Development Management Committee

- 10.1 Strategic Development Management (3rd January 2018) *Cancelled*
(24th January 2018) *agenda not yet available*
- 10.2 Development Management (4th January 2018) *Cancelled*
(25th January 2018) *agenda not yet available*

11. Enforcement

- 11.1 To receive the November & December updates
- 11.2 To report any new breaches

12. Transport

- 12.1 To receive details of the proposed cycleway extension consultation and agree any Committee comments **Appendix D**
12.2 To report any damaged superfluous and redundant signage in the town.

13. Access

To report any access-related issues.

14. Correspondence

15. News releases

16. Chairman's items for information

17. Date of the next meeting: Monday 29th January 2018 at 7pm.

To Planning Committee:

Cllr. Ms. J. Bates

Cllr. M. Cole

Cllr. J. Harvey

Cllr. P. Hirons

Cllr. D. Isham

Cllr. A. Mahi

(Chairman)

Town Mayor

(Vice Chairman)

Cllr. Mrs. L. O'Donoghue

Cllr. M. Smith

Cllr. Mrs. C. Strain-Clark

Cllr. R. Stuchbury

Cllr. M. Try

Mrs. C. Cumming (co-opted member)

Min. 606/17 & 609/17	Planning Responses emailed to Parish Liaison 21/12/17 due to site being down; confirmed added to appropriate files 22/12/17		Min. 559/17	News release	Date of appearance
Subject	Minute	Form	Rating ✓ = done	Response received	
AVDC					
Poplars, Franciscan	374/17 428/17	Investigate 'reoking' 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 Clif Patemoster 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. 1/9/17 with an apology for late response	
Equality Act compliance	317/17 (489/17) 549/17	Query to Equalities Commission as minuted Follow-up letter Circulate address for individual Cllrs. to use	✓ ✓ ✓	Response at Agenda 5.1 Response received; unsatisfactory See Agenda 7.3 See Agenda 9	
Ford Meadow parking & lighting	432.2/17	Write to University	✓	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 with the University for clarity. The case 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 Meadow, (60 spaces), which will help ease the demand on parking space around the campus. Access is via the Ucard, so only open to staff and students. 27/10/17 Enforcement should report shortly	
VALP submission	427/17 558/17	Letter as minuted Add Cherwell DC to summary; Cllrs. Cole &	✓ ✓		

Subject	Minute	Form	Rating √ = done	Response received
Cornwalls Meadow	497/17	Hirons to take to NBPPC Position of ticket machine restricts access	√	
West End Farm care home appeal	552.2/17	Circulate details of appeal reasons when available; Write to Inspectorate if nec.	√	See agenda 7
Quarterly stats	553/17	Query missing 6 appeals & enforcement stats	√	
S106 update	612/17	Questions as minuted		
BCC:				
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	√	
Cyclepath, new plans	546/	Circulate notes of 24/11 meeting	√	See also agenda 12.1
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 explore raising profile of CA		Meeting arranged for 11th January 2018
Street/Estate Naming	433/17	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; Prompts sent 15/12/17 and 3/1/18
Nursery Bungalow	494.1	Write with agreed name	√	

Subject	Minute	Form	Rating √ = done	Response received
Criteria for path mending	556.2	Check with TFB, esp w.r.t. visually impaired		
Vegetation in the ford	608.2	Needs clearing – passed to Environment Committee		

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 No update 3/1/18
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?	√	

Subject	Minute	Form	Rating √ = done	Response received
Signage	555.1	Leaders, Burleigh Piece	Not actioned √	Sponsorship of school Christmas Fair, 2/12/17; not property board
	555.2	Parking sign by Community Centre	√	
	555.3	Larder café, Bourton Road roundabout	√	

BUCKINGHAM TOWN COUNCIL

PLANNING COMMITTEE

MONDAY 15TH JANUARY 2018

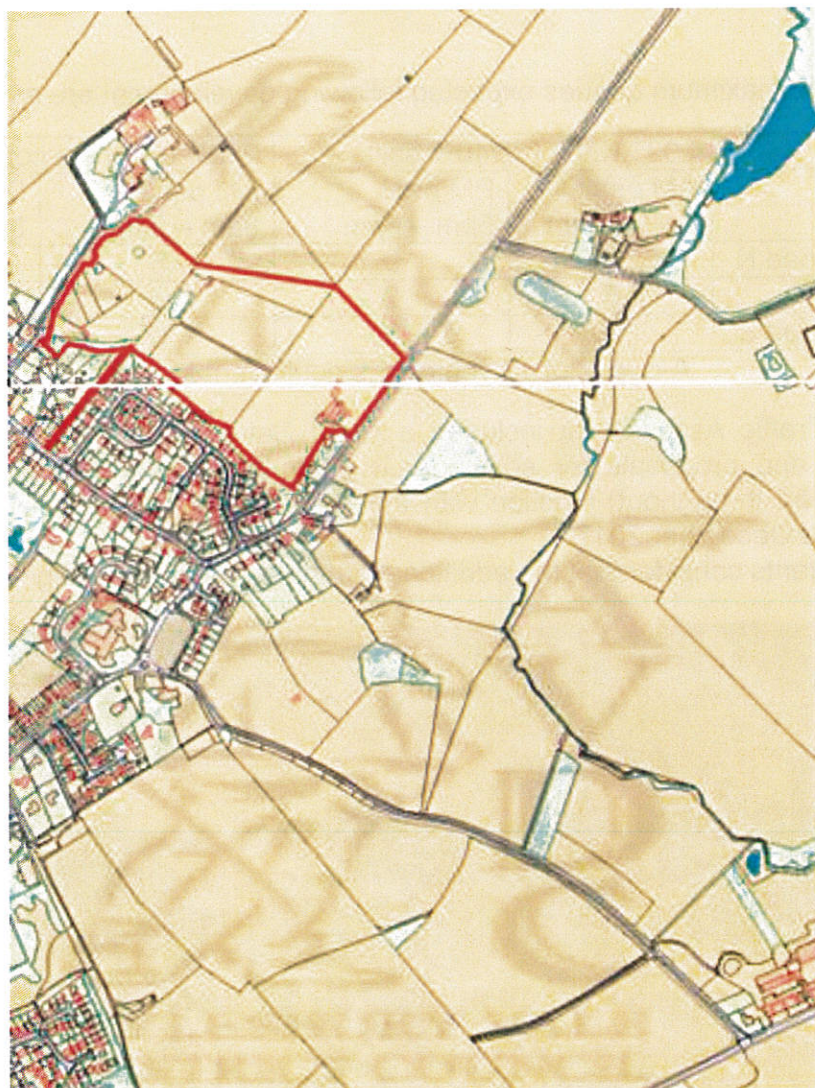
Agenda Item no. 6.12

**Contact Officer: Mrs K. McElligott
01280 816426**

Planning application **16/00151/A0P**

Land off Walnut Drive and Foscoote Road, Maids Moreton

Outline application with all matters reserved except access for up to 170 dwellings, public open space and associated infrastructure.



The site, with Walnut Drive in red upper left projecting from the site boundary and Mill Lane from the village to bottom right

Members considered a response to this application on 22nd February 2016, agreeing that though the site was well outside the parish boundary, new residents would be almost entirely dependent on Buckingham for services, secondary education, shopping and local employment.

Correspondence with BCC on traffic matters is available on the application website (letters from BCC dated 25th September, the consultant's response dated 28th September and BCC's answer dated 25th October 2017). Members may remember that one scenario was a 60%/40% traffic split between the Walnut Drive access point and the Foscoote Road access point. The other was 100% via Foscoote Road. The pedestrian routes on Main Street and from the Foscoote Road access into the village are non-existent or discontinuous, but BCC and the developers seem to have come to an agreement about what is to be done about these, including the mini-roundabout at the junction of Main Street and Walnut Drive where double yellow lines are proposed on the corners to prevent obstruction by parked cars. There has also been disagreement about the accuracy and robustness of the actual traffic figures.

The average maximum queues expected following development are as follows:

Road	2021 with 60%/40% split		2021 100% Foscoote Road	
	AM peak 8am – 9am	PM peak 5pm – 6pm	AM peak 8am – 9am	PM peak 5pm – 6pm
Stratford Road N	6	9	6	9
Mill Lane	5	2	6	2
Stratford Road S	16	8	17	8

A queue of 17 vehicles is equivalent to 100m.

The new Traffic Assessment includes a Road Safety Audit and the consultants' comments and proposals for solutions. It deals only with the Mill Lane (called College Road throughout) junction with the A422 Stratford Road at College Farm, and is dated December 2017.

The consultants consider that the additional queuing on Mill is not significant.



Figure 3.1 – Existing Stratford Road/College Road Junction

“3. Proposed Mitigation - Stratford Road/College Road junction

3.1 As can be seen in Figure 3.1, the existing Stratford Road/College Road junction is priority controlled, with no right turning facilities. It is currently subject to a width restriction of 2.3 metres. “

The 'priority control' is the Give Way line, and the phrase 'with no right turning facilities' means there is no filter lane for traffic turning right, and not – as at first reading – that traffic is not permitted to make a right turn.

BCC has rejected two possible solutions to ameliorating the delays caused by the new estate's traffic - bringing the give-way line forward to improve visibility, and providing a right-turn 'harbourage' (or dedicated lane); a roundabout was also considered but there is insufficient highway land at the junction. Therefore the proposed solution is traffic lights. The Design Manual for Roads & Bridges states that these should only be considered ...

“where the 85th percentile speed on the approach roads are below 104kph (65mph) on any arm.

4.8 The speed surveys undertaken along Stratford Road showed that 85th percentile traffic speeds (with no reduction for wet weather) are as follows;

- **Westbound - 75.6kph (47mph); and**
- **Eastbound – 85.3kph (53mph).**

4.9 As demonstrated above, the existing traffic speeds along Stratford Road do not exceed the maximum of 65mph, even though, the DMRB guidance relates to trunk roads (which Stratford Road is not). “

Although the speed limits on all three arms of the junction are 60mph, it is unlikely that many people reach this on Mill Lane (their own survey observations show c35mph), but the A422 survey figures do show that it is a feasible solution according to the Manual's standards. The lights will only turn green for Mill Lane traffic 'when a vehicle is detected' and will maximise use of any spare green light period, although how is not described.

A reduced speed limit of 50mph through the junction is also proposed, and a splitter island with Keep Left bollards, together with such traffic calming measures (eg 'dragon's teeth') as BCC deem necessary. There is also a layby just inside Mill Lane for maintenance vehicles. A lot of the hedgerows need to be taken back (ie more regular maintenance than currently) and a telegraph pole relocated.

According to the key on the drawing below, the width limit sign is to be changed from 2.3m/7'-6" to 2.5m/8'-2". No reference to this widening of the lane was found in the assessment, and 20cm/8" seems unlikely to make a measurable difference, nor does it address the possibility that the narrowest part of the lane may be further up, nearer the village. Similarly, nowhere does it consider that the lane has two ends, and what passes through the Stratford Road access must necessarily pass through the junction with Church Street.

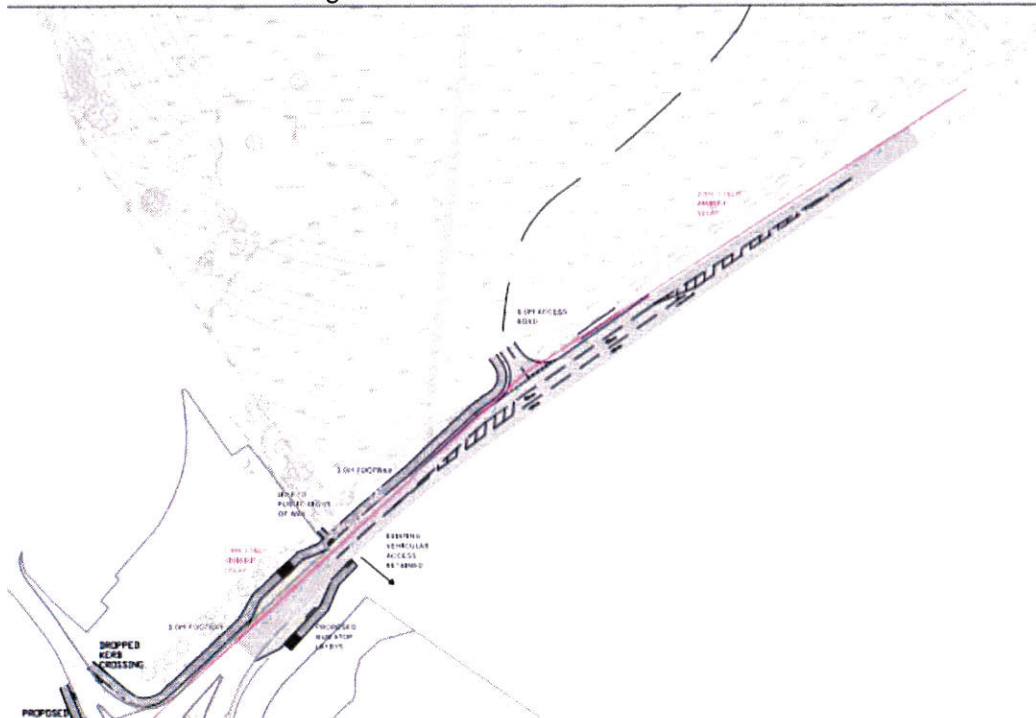
approach to the signals especially as it is proposed that the junction is to be installed on a high speed road, details of signal heads e.g. mast heights, potential use of duplicate primary signal heads, use of backing boards (of particular importance to overcome potential sun glare on east/west carriageway alignments), provision of red lamp remote monitoring equipment, drainage provision, high friction surfacing on approach to the signals, kerb details, street lighting details and signage provision. As a result, it is not possible to ascertain any potential road safety issues arising from these elements of the scheme.”

Members will also be aware that 16/02320/AOP for another 170 houses on land west of Mill Lane and with access on to the A422 approximately half way between Mill Lane and the Page Hill roundabout is as yet undecided (and subject to an appeal on the grounds on non-determination to be heard on 23rd January). No reference to this proposal is made in the document, and surely an integrated solution should be at least explored in case both applications are eventually approved.

BCC Highways’ response dated 29th December 2016 includes

“It is proposed that the site will be accessed from a ghost island priority junction from the A422 Stratford Road. The proposed junction has been subject to a Stage 1 Road Safety Audit, which recommended that the existing 40mph speed limit at the A422/Page Hill roundabout be extended beyond the proposed access junction. The road safety audit also stated that it may be beneficial to extend the street lighting to cover the length of the amended speed limit.”

and the relevant drawing shows



which shows the splitter lane markings tapering off at about the point the traffic signal ones start for the other application.

KM 3/1/18

To whom it may concern. This appeal is regarding 2 Butterfly Close, Buckingham, MK187RU.
The application reference is: 17/01694/APP | Insertion of front and rear roof lights

There are 3 parts to our appeal:

1. the time it took from submission of application to the decision
2. the contradictions that remain unclarified
3. the actual decision, which is not in keeping with the remainder of the estate

With regards to number 1 - the time it took from submission of the application to the decision:

There was no possibility to add 2 reasons for appealing, however:

- the application was submitted on the 5th of May 2017.
- the town council confirmed that they had no objections on the 8th of June 2017
- on the 12th of September the decision was given (with amended plans that were discussed in July between architect and planning officer only, without the plans being made public on the portal until the day of the decision.)
- the time from submission of application to the decision took 18 weeks

With regards to number 2 - the contradictions in the report and decision:

Within the report, it states the following and my notes are then in blue:

4.2 In the rear elevation the roof light GPUSK06 will serve the bedroom and the two roof lights GGLMK04 serve the bathroom. On the front roof slope the roof light reference GDLSK19 serves the bedroom and roof light GPUSK06 serves the landing area.

Comment: This is the wrong way around, the front has the smaller windows with MK04. SK19 is in the back, which means the cabrio window will not go to the front towards 94 Needlepin way, but towards the back, facing a garage.

9.9 The front facing roof lights would give views across Butterfly Close and specifically 94 Needlepin Way. 94 Needlepin Way has its rear garden in direct sight from number 2 and again will give additional views across the rear amenity area. It is considered that the loss of the additional privacy from the proposed roof lights would have a detrimental impact upon this neighbour. However, it is considered that a condition securing that the windows shall be obscure glazed and non opening to a level of 1.7m above internal floor level, would overcome this concern and there are roof lights at the front to allow for ventilation and outlook.

Comment: There is a direct contradiction with stating front facing roof lights need to be non-opening but still mentioning the front roof lights as being there for ventilation & outlook, resulting in no windows being given for outlook as well as ventilation. This is also still based on the confusion of the larger windows going to the front.

9.10 In summary, given the positioning of the proposal and its relationship relative to the neighbouring properties in terms of scale, position of windows and orientation it is not considered that the proposal would have an unacceptable adverse impact upon the neighbouring amenity. Therefore the proposal fails to accord with GP.8 of AVDLP and NPPF.

Comment: The first sentence appears to state the proposal is not considered to have an unacceptable impact, but the second sentence advises we are failing to accord with GP.8. There is no clarification on what is correct.

In the decision it then states:

3. The roof lights to the rear hereby permitted shall not be glazed or reglazed other than with obscured glass to a minimum of level 3 up to 1.7m above floor and non opening unless the parts of the window that can be opened are more than 1.7m above internal floor level.

Comment: In the report, only the front windows were mentioned with regards to the loss of privacy. In the decision only the rear windows are mentioned and over the phone we were then advised that all windows have to be above 1.7m.

Appeal: The contradictions make it difficult to establish what the planning permission is actually allowing and this has not been clarified. Changes to the plans were made in July without our knowledge and without being made public on the portal until the day the decision was made in September. The changes were also based on the contradicting information given by the planning officer.

Following the decision in September, numerous calls and emails were made to the planning officer by architect, builder and ourselves without response. The planning officer then phoned us only, but to state that all windows have to be above 1.7metres, without further explanations around the contradictions or the similar planning permissions on the same estate which have no restrictions placed on them.

With regards to number 3 - the actual decision which is not in keeping with the remainder of the estate:

Approximately 30% of the new built estate have 3 storey houses. No difference can be seen between our house, proposed windows & our position to neighbours and the existing & further approved roof extensions, where overlooking is always being mentioned but is seen as being in keeping with the wider approval of the estate and no restrictions have been added on any. It states the following instead: The proposed amended dwelling, involving (*for example*) the insertion of two small flat roofed front facing dormer windows and a rear roof light **would not result in any significant visual impact when considered in conjunction with the wider approved site and would follow the design approach within the development.**

Three examples of approved extensions in the estate and direct neighbourhood:

14/03635/APP | Insertion of 3 no. flat roof dormers to existing rear roof slope and 2 no. roof lights to existing front roof slope

17/01428/APP | Two storey rear extension and loft conversion with dormer. fully approved

15/02488/APP | Conversion of the loft space to provide habitable accommodation with two forward facing dormers and roof-light to rear.

During the call with the planning officer, no difference between our application and already approved applications / existing houses was established. We have no rejections from our neighbours, with 2 out of the 3 neighbouring properties having a 3rd floor with windows facing our garden. No property with 3 floors has the 1.7m restriction, on the whole estate.

The appeal is therefore:

- decision time of 18 weeks instead of 8 weeks (the appeal procedure did not allow for two appeal reasons to be marked)
- Contradiction within the report on what is front and rear
- where are the roof lights that allow for ventilation and outlook
- why are we considered to not have an unacceptable impact, but then fail to accord with GP.8
- why is the decision out of keep with the remainder of the estate where not a single further property has this restriction of 1.7m height, or obscured and non-opening windows.

Our proposed roof extension does not result in any significant visual impact when considered in conjunction with the wider approved site, which is in keeping with all other planning permissions and existing 3 storey houses. We are following the design approach within the development. Please therefore consider removing the restrictions of obscured and non-opening windows up to 1.7m, given the above mentioned points.

Thank you in advance for giving this your attention,
David Black

Jon Harvey:

Customer By Web Form (Jon Harvey)

05/12/2017 10:38

Hallo

Are planning authorities legally required to ensure (using their planning powers) that in any new large housing development, there are pedestrian access arrangements that do not discriminate against people with mobility problems?

Thank you

Jon Harvey

Question Reference #171205-000016

Date Created: 05/12/2017 10:38

Last Updated: 06/12/2017 11:14

Status: Resolved

Incident Country:

Let Us Know: No

Your Rights: Disability Discrimination

RequestForInfo:

Strategic Referral: No

For Info: No

----- Forwarded message -----

From: **Equality Advisory Support Service** <eass@custhelp.com>

Date: 6 December 2017 at 11:14

Subject: Hallo Are planning authorities legally required to ensure (using their planning ...

[Enquiry: 171205-000016]

To: [REDACTED]

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

Hallo Are planning authorities legally required to ensure (using their planning ...

Discussion Thread

Response Via Email (Melanie)

06/12/2017 11:14

Date: 06/12/2017

Reference Number: 171205-000016

Subject: Disability Discrimination

Dear Jon Harvey

Thank you for contacting the Equality Advisory Support Service (EASS) regarding your issue around pedestrian access.

The EASS can provide you with advice and guidance on the Equality Act 2010 and the Human Rights Act 1998; however, if you require a legal opinion on the merits of your case, you would need to consult a lawyer. For more information, please see our legal disclaimer. You state in your email are planning authorities legally required to ensure there are providing pedestrian access arrangements for people with mobility problems. I have provided some information below which may help you with your question.

Public authorities (e.g. local councils, NHS, Education providers etc) have a duty to follow the Public Sector Equality Duty. You can find information on this on the www.gov.Uk/government/publications/public-sector-equality

Public Sector Duty, this is a duty on public authorities to consider or think about how their policies or decisions affect people who are protected under the Equality Act. If a public authority has not properly considered its public sector duty, you can challenge it in courts. When public authorities carry out their functions, the Equality Act says they must have due regard or think about the following things:

- eliminate unlawful discrimination
- advance equality of opportunity between people who share a protected characteristic and those who don't
- foster or encourage good relations between people who share a protected characteristic and those who don't

Having due regard means public authorities must consciously consider or think about the need to do the three things set out in the public sector equality duty.

If an individual thinks they have been, or will be, affected by the way a public authority has made a decision about how it delivers its service or implements a policy an individual may be able to use the public sector equality duty.

An individual can take action saying a public authority has not properly considered its duty before making a decision or adopting a policy that affects that individual. An individual may also use the public sector equality duty to strengthen a discrimination complaint against a public authority.

However because we aren't legally trained we wouldn't be able to give any legal advice, we can only advise on how an individuals issue may fall within the Equality Act. So if you require legal advice we recommend you speak to a solicitor.

I hope this information has been helpful, and it answers your question. You could try contacting your local council about this, unless you already have. If we could be of any assistance or you require any further information please don't hesitate to contact us again.

Regards, Melanie

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 addressee only. It may contain information that is privileged and confidential. If you are not the intended recipient, you must not copy, distribute or take any action in reliance of it.

Security warning: Please note that this email has been created in the knowledge that internet email is not a 100% secure communications medium. We advise that you understand and accept this lack of security when emailing us.

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.

Transport - Economy – Environment

Buckinghamshire County CouncilCounty Hall, Walton Street
Aylesbury, Buckinghamshire
HP20 1UA**Ian McGowan**

Head of Highways Infrastructure Projects

www.buckscc.gov.uk

12th December 2017

Dear resident,

Buckingham - Winslow Cycleway Extension (Phase 1) Consultation

We are writing to let you know about the planned new cycleway and improved walking route in Buckingham between the Lace Hill roundabout and the town centre. Please see the enclosed route map for more detail.

We would like to invite you to take part in the consultation about these proposals, which is open for comments from **Wednesday 13 December 2017** until **Wednesday 24 January 2018**. We would like to hear your views so we can understand what's important to you. Please complete and return the enclosed questionnaire, which should only take 5 minutes of your time. If you would prefer to provide feedback online, please complete the questionnaire at <https://www.surveymonkey.co.uk/r/XGSMVCJ>

Background

These works are a continuation of the cycling and walking improvements already completed along the A413 from Winslow town centre to the Lace Hill roundabout in Buckingham. The scheme is funded by developer contributions of £350, 000.

This is the latest phase of the Buckingham to Winslow Cycleway Extension scheme, which is part of the Buckingham Cycling Strategy. The strategy aims to create a cycle network within Buckingham. The Buckingham Cycling Strategy was developed by Buckinghamshire County Council in partnership with Buckingham Town Council.

Two phases

It is our intention to deliver the works in two phases.

Phase 1: Is the route from where the completed works finish on the east side of the A41 3 to Buckingham town centre. The route uses Hare Close and progresses on-road towards Badgers Way, takes a left hand turn and follows Badgers Way to the junction with Burton Road. The path will then continue into Bourton Park using existing footpath which will be resurfaced where required, crossing the river twice and finishing in the Waitrose carpark (see attached consultation plan).



Phase 2: is the route from where phase 1 works finish, on the west side of the A413, then proceeds up to the western side of the London Road. Connections would be provided to the Swan Pool, The Buckingham School and The Royal Latin School.

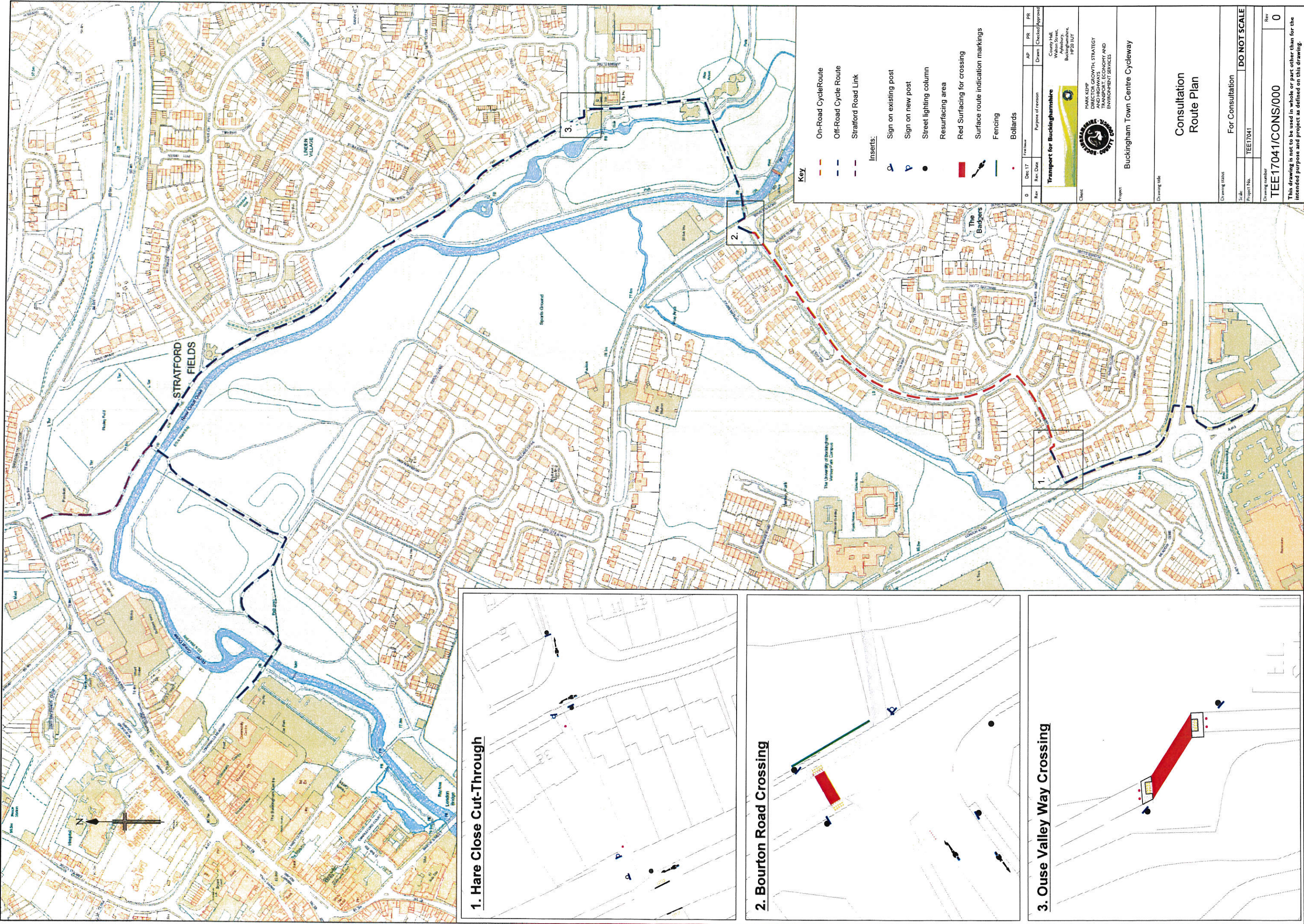
This consultation is only for phase 1 of the scheme and consultation for phase 2 of the scheme will be undertaken in 2018.

Further Information

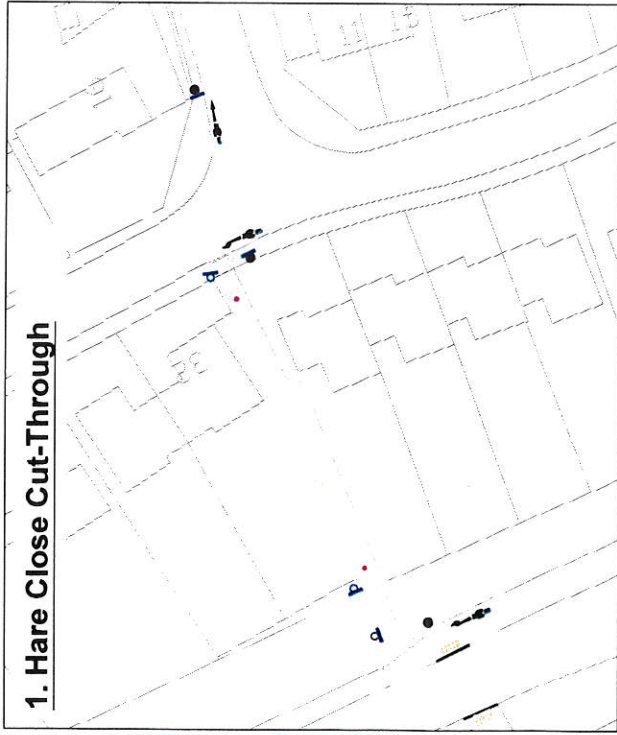
Further information about this scheme can be found on our website at www.buckscc.gov.uk/buckinghamcycleway. If you have any specific questions, please email the project manager, **Tayo Akinyosade**, on hitmailbox@buckscc.gov.uk or phone him on 01296 383895.

Thank you for your time, I look forward to receiving your comments.

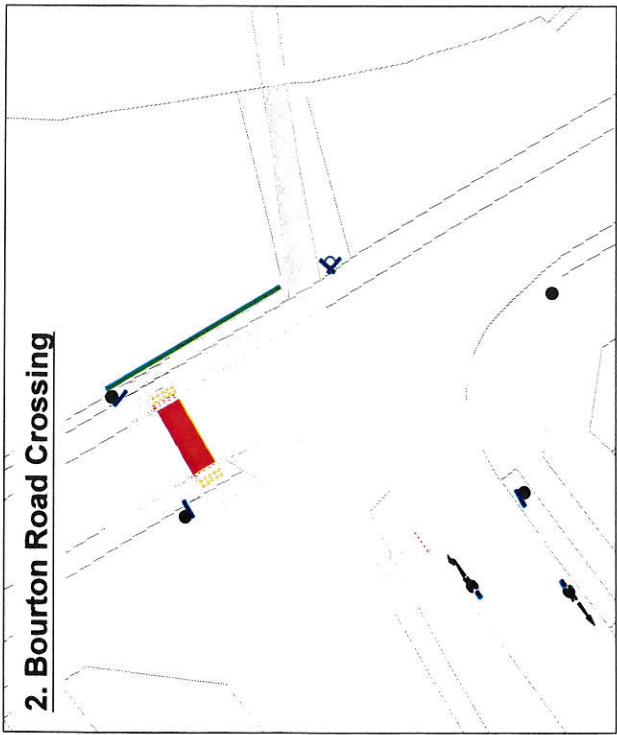
Ian McGowan
Head of Highways Infrastructure Projects,
Buckinghamshire County Council



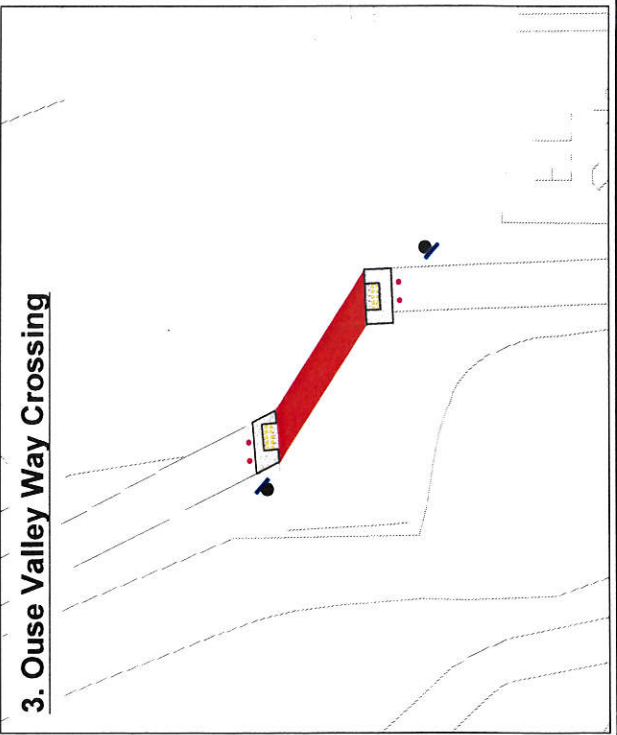
1. Hare Close Cut-Through



2. Bourton Road Crossing



3. Ouse Valley Way Crossing



- Key**
- On-Road Cycle Route
 - Off-Road Cycle Route
 - Stratford Road Link
- Inserts:**
- Sign on existing post
 - Sign on new post
 - Street lighting column
 - Resurfacing area
 - Red Surfacing for crossing
 - Surface route indication markings
 - Fencing
 - Bollards

D	Dec 17	For Issue	AP	PR	PR
Rev	Rev	Date	Drawn	Checked	Approved
Purpose of revision					
Transport for Buckinghamshire County Hall Victoria Road Aylesbury Buckinghamshire HP20 1UF					
MARK KEEP DIRECTOR GROWTH STRATEGY AND HIGHWAYS COUNTY COUNCIL BUCKINGHAMSHIRE ENVIRONMENT SERVICES					
Client					
Project					
Buckingham Town Centre Cycleway					
Drawing title					
For Consultation					
Scale	DO NOT SCALE				
Project No.	TEE17041				
Drawing number	TEE17041/CONS/000				
Rev	0				

**Consultation
Route Plan**

This drawing is not to be used in whole or part other than for the intended purpose and project as defined on this drawing.

