



# BUCKINGHAM TOWN COUNCIL

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

Tuesday, 06 September 2016

Councillor,

You are summoned to a meeting of the Planning Committee of Buckingham Town Council to be held on **12<sup>th</sup> September 2016 following the Interim Council meeting** 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 1.3, 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 22<sup>nd</sup> August 2016 to be put before the Full Council meeting to be held on 3<sup>rd</sup> October 2016.  
**Copy previously circulated**
- 4. Buckingham Neighbourhood Plan/Vale of Aylesbury Plan**  
To receive any update from the Town Clerk.
- 5. Action Reports**
  - 5.1 To receive action reports as per the attached list.
  - 5.2 (320.3/16) 16/00368/CON3, new fence at 4 Cropredy Court: Mr. Dales confirms: It needs planning permission as a consequence of the condition mentioned by Katharine [*condition 7 of AV/1002/75*], which removes permitted development rights including those for fences. I consider that we should write to number 4 inviting an application and mentioning that no fee would be payable as it would normally be PD.

### Appendix A

Buckingham



Twinned with Mouvaux, France



## 6. Planning Applications

For Member's information the next scheduled Development Management Committee meetings are 22<sup>nd</sup> September and 13<sup>th</sup> October 2016, with SDMC meetings on 21<sup>st</sup> September and 12<sup>th</sup> October 2016.

To consider planning applications received from AVDC and other applications

1. 16/02773/APP Land adj. to 9 Swan Business Centre, Osier Way, MK18 1TB  
Change of use of land to create approximately 8 additional car parking spaces  
*Steer*
2. 16/03018/ALB The Kings Head PH, 7 Market Hill, MK18 1JX  
Signwriting and external lighting to building and repainting of the ground floor element of building  
*Harris*
3. 16/03141/APP 15 Hilltop Avenue, MK18 1TY  
Changing picture window to one which is bricked up to part way. This will be more heat efficient and has already been carried out in the other houses in the block.  
*Morris*
4. 16/03195/APP Chandos Court, Chandos Road MK18 1AJ  
Erection of a steel frame canopy to main entrance of Chandos Court.  
*Williams [VAHT]*

Not for consultation:

5. 16/03041/ATC University of Buckingham, Station Road, Buckingham  
*[aerial photo shows riverbank behind Prebend House]*  
1 x willow – a large branch has broken from this tree leaving the specimen in a weak position. The work will involve pollarding the remaining crown to approx. 8m above ground level  
*Cross [University of Buckingham]*

The following Minor Amendments have been received, for information only:

6. 16/00991/APP Nursery Bungalow, West Street, MK18 1HP  
Demolition of bungalow and former nursery buildings, construction of four dwellings with attached single garage and associated works, including new access onto West Street  
*Minor amendments: Eastern fence of Plot 4 back garden added [garden now same width as neighbour's]; voids under houses added [for flood waters]*
7. 16/02641/APP Hamilton Precision Ltd, 10 Tingewick Road  
Demolition of existing Class B2 warehouse and construction of 51 residential units with access and associated parking  
*Minor amendments: change to "Street scene" from Tingewick Road, showing deletion of existing electricity substation and new site plan showing its replacement adjacent to the western site boundary on two Block B parking places; two parking places are provided on the previous site of the substation.  
The street scene drawing has 5 examples of Buckingham architecture referenced in the building designs.*

## 7. Planning Decisions

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

Approved	BTC response	Officer recomm <sup>n</sup> .
16/02038/APP Tesco, London Road Sprinkler tank and pump house	No objections	-
16/02069/APP Brethren Meeting Hall Remove lobby, erect extension	Oppose & attend	Approve
16/02210/ALB Norton Ho., Hunter St. Internal repair works	No objections	-
16/02314/COUM 51-53 Badgers Way Conversion of shop to flat	No objections	-
16/02329/APP 6 Wren Close 2-st rear ext <sup>n</sup> . & s-st front ext <sup>n</sup> .	No objections	-
16/02391/APP } Willow Bank, Mill La. Ch/use residential (C3)→institution }	No objections	-
16/02392/ALB } (D1) and internal alterations }	No objections	-
16/02452/APP Royal Latin School New entrance & extn for Rotherfield	No objections	-
16/02477/APP 126 Western Avenue Single storey front & rear extension	No objections	-
16/02804/APP 4 Cotton End Single storey side extension	No objections	-

### Not Consulted on:

#### Approved

16/02543/ATC University, Island car park Works to willow trees No objections

#### No objection

16/02240/INTN Castle Mills, Tingewick Rd. Installation of a cabinet, etc. No objections

## 7.2 Planning Inspectorate

15/02125/APP 2 Bridge Street

Change of use from a charity shop (Class A1) to a hot food takeaway (Class A5); installation of extraction/ventilation and alterations to the shopfront

*Inspector has allowed the appeal. Decision document is attached*

**Appendix B**

## 8. Development Management Meetings

**8.1 Strategic Development Control** (2<sup>nd</sup> September) *meeting not held; an informal Members' briefing was held in its place, which featured 16/02641/APP Hamilton Precision site*

(21<sup>st</sup> September) *agenda not yet available*

**8.2 Development Control** (1<sup>st</sup> September, moved to 2<sup>nd</sup> September)

A report has been received for the following application, and is available from the office

16/2069/APP Land adj. 1 Mallard Drive

Removal of existing entrance lobby; erection of single storey rear extension to provide new entrance lobby and toilet and replacement of garage doors with windows

To receive Cllr. Cole's verbal report on the meeting

*Members may like to note that there is no mention of sewage disposal/cesspit in the conditions attached to the approval*

(22<sup>nd</sup> September) *agenda not yet available*

## 9. Enforcement

9.1 To receive the July update of new and closed cases.

**Appendix C**

9.2 To report any new breaches

## 10. Lace Hill Employment/Health site

To receive any updated information.

## 11. Transport

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

11.1(642.1; Candleford Court path) The Clerk reports a contact made by Jonathan Clark, BCC Strategic Access Officer which indicated a lack of background knowledge, including

www.buckingham-tc.gov.uk

Email: office@buckingham-tc.gov.uk

the inclusion of the riverside path link in the s106; a minute trail and sundry documents have been supplied to him and copied to Cllr. Whyte, who has been very active in this matter, to fill this lacuna and further correspondence is awaited. A verbal report can be given at the meeting.

**12. Access**

To report any access-related issues.

**13. Correspondence**

To receive for information the response to a letter arising from Full Council (15<sup>th</sup> August; Min. 300/16) reference EH responses to planning applications. **Appendix D**

**14. News releases**

**15. Chairman's items for information**

**16. Date of the next meeting: Monday 10<sup>th</sup> October 2016 at 7pm.**

To Planning Committee:

Cllr. Ms. J. Bates

Cllr. M. Cole (Vice Chairman)

Cllr. J. Harvey

Cllr. P. Hirons (Chairman)

Cllr. D. Isham

Cllr. A. Mahi

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)

**ACTION LIST**  
**Planning responses**

**Appendix A**

Minute	Responses emailed or added to website	Responses posted
317/16	24/8/16 Response sheets scanned in and added to website	

Subject	Meeting date/ minute	Action taken on	Form	Response received	Prompt/ reminder sent	Response received
BCC Transport Integrated traffic proposals	11/4/16 838/15	15/4/16	BCC asked for timing		22/06/16	
Moreton Road bus stops	16/5/16 51/16	24/5/16	Move for safety		24/6/16	→22/8
Lace Hill Bridleway	22/8/16 322.1/16	2/9/16	Respond as minuted	<b>2/9/16 All existing stops will remain where they are</b>		
	22/8/16 322.3	2/9/16	Check with RoW on re-opening			
Travel Plans (effectiveness)	14/9/15 403.1	1/10/15	Ask RLS for review later in year	3/12/15 Prompt sent	Review will be available July 2016	→22/8
	22/8/16 322.2	23/8/16  23/8/16 (summer holiday)	Check car park plan Photos as requested; respond when available	Answer added to minutes Ongoing: term-time & half-term photos needed		
Employment development	24/8/15 343.3	14/9/15  Chased 30/12/15	Letters as minuted	30/12/15 – response to be sent in New Year	Chased 5/2/16 and 10/3/16	Agenda 5.8
	21/3/16 860.8	7/4/16	To be standard agenda item + letter as minuted	Cllr. Bowles & SEMLEP		
	25/4/16 881.2	24/5/16	Town Clerk/Cllr. Smith to set up meeting	September agreed		
SDMC/DCC meetings	18/1/16 693.3/15	22/1/16	Do chart of meeting delays	→ 1 <sup>st</sup> Feb. meeting	1/2/16; 731.3 letter to SDMC & DMC Chairman sent 10/2	Agenda 5.7
	21/3/16 860.7	7/4/16	Respond as minuted – sent 22/06/16			
Tingewick Road Ind. Est. riverbank	21/3/16 860.2	7/4/16	Response to Mrs Kitchen as minuted	Prompt sent by Town Clerk 22/06/16		
	22/8/16 316/16		All Members to add their own			

Subject	Meeting date/ minute	Action taken on	Form	Response received	Prompt/ reminder sent	Response received
			comments on revised plans			
Signage, Lace Hill	21/3/16 860.5		<b>Town Clerk</b> to investigate signage	<b>Ongoing</b>		
Fault reporting	11/4/16 846/16	15/4/16	<b>Ask TfB for criteria</b>	<b>Reminder sent 24/5/16</b>		
VALP	4/7/16 176/16	31/8/16	<b>Town Clerk has submitted responses agreed at 30/8/16 meeting</b>			
	25/7/16 260.3/16	29/7/16	Consultation response availability	<b>1/8/16: Andy Kirkham, AVDC : Summary to be available as soon after 5<sup>th</sup> September closing date as possible</b>		
University plans	4/7/16 178/16	22/7/16	Invite to present	<b>Dep. Vice Chancellor Alistair Alcock to attend Interim 12<sup>th</sup> Sept.</b>		
Old Police Station	4/7/16 178/16	7/7/16	Check Fire Service OK with access to rear block	No reply from Planning Officer 9/8 contacted Fire Service direct; they were not consulted until 5/8/16; they sent comments to AVDC (not on website yet) with reservations and requests for clarification 8/8/16		
Estate agent signs	4/7/16 181.2/16	10/8/16	<b>Contact (17) local agents re boards in verges</b>			
Flood Management Strategy	4/7/16 182/16	29/7/16	Respond to consultation			
Lace Hill Health site	4/7/16 183/16	11/8/16	<b>Write to CCG</b>			
S106 uses	4/7/16 186.1/16	22/7/16	Respond as minuted	→22/8 (office preparing response)		
Site Q	25/7/16 260.2/16	10/8/16	<b>Respond to Robinson &amp; Hall letter</b>			
DMC/SDMC meetings	25/7/16 264/16	23/8/16	<b>All Members</b> to advise office of September availability	<b>23/8/16:</b> There is no formal meeting of the Strategic Development Management Committee next week. We do informal brief members of the Strategic committee and local members on applications coming forward in their ward. These are factual briefings so that members are aware of the proposals that have been submitted. They are not public meetings.		
	22/8/16 317/16		Ask for info on Members' briefing substituted for SDMC 2/9/16			
Tingewick Road Triangle site	25/7/16 267.1/16		Circulate s106 terms when available			
Church Street bins	25/7/16 269/16	10/8/16	Ask residents not to block pavement	<b>Resident denies blocking, alleges binmen responsible; email relayed to AVDC for comment</b>		

Action awaiting response

Action yet to be taken

Action completed new response

Subject	Meeting date/minute	Action taken on	Form	Response received	Prompt/reminder sent	Response received
Request to revise response	22/8/16 317/16		Make complaint re 16/01850/APP			
Signage	22/8/16 322/16	23/8/16	Report and clear as minuted	Ongoing		

Enforcement reports and queries						
13 High Street	16/3/15 795.3	17/3/15 with photo	New signage & lighting	"13" needs permission; remainder awaiting HBO decision	Update →30/11/15 3/12/15 Chase full response	
Cotton End steps	22/2/16 789.2/15  792/15	3/3/16	Query 'de minimis' judgement Ask Cllr. Paternoster for details as minuted			
Retail activity on Industrial Park	4/7/16 181/16 22/8/16 320.1	8/8/16	Query as minuted  Follow-up as minuted	→22/8		
29/30 West Street	22/8/16 320.2	25/8/16	Follow-up as minuted			
Croprody Court fence	22/8/16 320.3	23/8/16	Photo and report	Case no 16/00368/CON3 notified 5/9/16 Agenda 5.2		
Patio heaters/canopies	22/8/16 320.3	1/9/16	Ask EH about safety	2/9/16: As far as we are aware, there have been no problems with patio heaters under canopies. The heaters should be in a well ventilated area, not be immediately adjacent to flammable material and be kept in good working order.		
News releases						
	15/8/16 310/16	25/8/16	Hamilton's Precision (Full Council)		Advertiser 2/9/16	
	22/8/16 325/16	(awaiting suitable photo)	Flyposting – amount needing clearance			

Action awaiting response

Action yet to be taken

Action completed new response



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## Appeal Decision

Site visit made on 18 July 2016

by **Alison Roland BSc DipTP MRTPI**

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

Decision date: 23 August 2016

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### Appeal Ref: J0405/W/16/3143953

#### 2 Bridge Street, Buckingham, Buckinghamshire, MK18 1EL.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by DPSK Ltd against the decision of Aylesbury Vale District Council.
  - The application Ref: 15/02125/APP, dated 18 June 2015, was refused by notice dated 1 October 2015.
  - The development proposed is change of use from charity shop (Class A1) to a hot food takeaway (Class A5); installation of extraction/ventilation equipment and alterations to the shop front.
- 

#### Procedural Matter

1. During the processing of the planning application amended plans were submitted depicting a revised "red edge" to the site and block plan (Drawing Nos: 5002-A5-05 Rev A & 5002-A5-06 Rev A). The Council determined the application on the basis of them and I shall do likewise in the appeal.

#### Decision

2. The appeal is allowed and planning permission is granted for change of use from charity shop (Class A1) to a hot food takeaway (Class A5); installation of extraction/ventilation equipment and alterations to the shop front, at 2 Bridge Street, Buckingham, Buckinghamshire, MK18 1EL, in accordance with the terms of the application Ref: 15/02125/APP, dated 18 June 2015, subject to the following conditions:
    - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
    - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drwg No: A116/EX/01 : Basement & Ground Floor Plan as Existing; Drwg No: A116/EX/02: Sections & Elevations as Existing; Drwg No: 5002-A5/03: Proposed Layout Plans; Drwg No: 5002-A5-04: Proposed Elevations; Drwg No: 5002-A5-05 Rev A: Location Plan; Drwg No: 5002-A5-06 Rev A: Block Plan.
    - 3) The use hereby approved shall take place solely within the ground floor and basement of the appeal premises.
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- 4) Prior to the use commencing, details of waste storage facilities to serve the proposed use shall be submitted to and approved in writing by the local planning authority. The approved facilities shall be made available before the use commences and retained thereafter.
- 5) Prior to the use commencing, a scheme for the installation of odour control equipment shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the use of the premises commences. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturers' instructions
- 6) Prior to the use commencing, a scheme for the noise control of any plant and equipment to be installed on the premises, shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the plant and equipment is brought into use and the approved noise control measures shall thereafter be maintained in accordance with the manufacturers' instructions.
- 7) Prior to the use commencing, a scheme for protecting the residential units on the upper floors of the appeal premises from noise associated with the proposed use, shall be submitted to and approved in writing by the local planning authority. All works which form part of the approved scheme shall be completed before the use is commenced and retained thereafter.
- 8) The use hereby permitted shall only take place between the following hours: 11.00 to 23.00 Mondays to Sundays.

### **Main Issue**

3. The main issue in this appeal is the impact of the proposal on the vitality and viability of Buckingham town centre.

### **Reasons**

4. Saved Policy BU7 of the Aylesbury Vale District Local Plan (2004) states that outside the Primary Shopping Frontages of the Central Shopping Area, preference will be given to retail uses. Non shop uses that complement the diversity of uses in these parts of the town centre may be permitted between retail uses where the attractiveness and interest of the street scene is maintained, but adjacent non shop uses will be resisted.
5. The parties disagree on the weight to be attributed to this Policy, with the appellant maintaining that it is non compliant with advice in the National Planning Policy Framework (the Framework) and the Council likewise claiming compliance. To the extent that it applies a somewhat rigid approach to adjacent non shop uses, I am inclined to the former view, as the Framework advocates a flexible and positive approach to town centre uses, promoting diversity and enhancing competitiveness.
6. Policy EE4 of the Buckingham Neighbourhood Development Plan (adopted September 2015) states that within the Primary Retail Frontages, non retail uses will be restricted to 35% of the sum total of frontages therein. The explanatory text states that an exception can be made for a property which has been actively marketed for retail use for a period of 6 months or more without

success. This is a more up to date Policy which has recently been found to be Framework compliant and I therefore attach significant weight thereto.

7. Both parties agree that the 35% frontage threshold in EE4 has already been exceeded with a figure of 37% in broad agreement and the Council say the proposal would increase this figure to 38%. The proposal would also result in two adjacent non retail uses, as the adjacent unit is in use as an estate agent. Submissions for the appellant point to a period of marketing commencing June 2015 and still underway at the time of this appeal (this information was not included with the planning application as EE4 was adopted thereafter). This attracted the appellant says, only a single enquiry from a retail user, which did not progress to a viewing. I have some reservations about this exercise, as the submitted sales particulars indicate the property was marketed as an investment opportunity, with Domino's Pizza (the intended occupier) as the tenant on a 20 year lease with a 10 year break. This is likely to have dissuaded some prospective retail tenants.
8. Nonetheless, the marketing report highlights several deficiencies in the property, which would in any event, render it unattractive to retailers. These include the fact it is a period property with accommodation split over a number of levels, including a basement, that it is in a poor state of repair with leaks from the flats above that have caused damage to ceilings and the relatively high rateable value of the property. The Council do not challenge this evidence and I have no reason to dispute that these factors in combination would act as a disincentive to disposal of the property. Finally, the marketing report alludes to the unit being somewhat secondary in relation to the town centre from a retailers' point of view.
9. At my visit I saw that footfall along Bridge Street is relatively low compared with Market Square/High Street and it clearly leads away from the main focus of retail activity. The relatively high level of non retail units thereon (which the Council put at 48% or 6 of the 14), no doubt contributes to this, as does the small total of units which will generate limited draw. Added to this, the concentration of high traffic volumes into a narrow street with narrow footways, renders it an unattractive and somewhat intimidatory environment for pedestrians, although I do not accept the submission in the marketing report that the zebra crossing will act as a disincentive. To my mind, although the appeal premises is arguably the most prominent unit thereon when viewed from Market Square, Bridge Street nonetheless occupies a peripheral location in relation to the remainder of the town centre and the above factors reflect this.
10. Moreover, it seems to me that the appeal proposal would contribute to both the daytime and evening economy of the town centre and would complement other night time uses, such as nearby Public Houses. I am also inclined to the view that its continued vacancy will serve only to detract from the vitality of the centre and given the history of the property and without a suitable tenant, its condition is likely to deteriorate.
11. The proposal would result in two adjacent non shop uses contrary to BU7, but this is tempered to some extent by the fact that I have found the Policy does not attract full weight. Despite my reservations concerning the marketing of the property, I conclude that exercise (which has exceeded the 6 month period

stipulated in EE4), coupled with the identified shortcomings of the premises themselves, casts considerable doubt over its potential to attract a retail user. I therefore consider the available evidence renders the proposal compliant with the objectives of Policy EE4.

12. Of particular significance is the location of the appeal premises in a somewhat peripheral location in relation to the remainder of the town centre, in an area with limited footfall. The fact that the premises in its vacant condition (which has persisted for some time), makes no contribution whatsoever to the vitality of the town centre and the potential contribution made in this regard by the appeal proposal, lends further weight in support of the appeal. Finally, I give some weight to recent changes to the Town and Country Planning (General Permitted Development) (England) Order 2015, which facilitates greater flexibility in changes of use away from Class A1 retail.
13. The combination of these factors, lead me to the conclusion on the main issue that the proposal would not materially harm the vitality and viability of Buckingham Town Centre.

### **Other Matters**

14. The site falls within the Buckingham Conservation Area and the appeal premises are identified as a "key building" therein, standing close to the Grade II\* Listed Old Town Hall to the North. Third parties cite the loss of the existing double door in the shop front and ventilation flues to the side and rear of the building as harmful to its appearance and setting. The doors appear relatively modern and their replacement with a single door and side glazed panel within the existing door surround would not undermine its appearance. The extract ducts on the side and rear elevations of the building would be relatively discrete additions, sited away from the main frontage and would similarly not appreciably affect the external appearance of the building. I am therefore satisfied that the proposals would maintain the character and appearance of the appeal premises, the Conservation Area and setting of the Old Town Hall.
15. Several third party submissions cite congestion along Bridge Street and the bottleneck consequent upon its limited width, high levels of traffic thereon and the presence of the zebra crossing. I am mindful that there are limited parking opportunities in the immediate vicinity, although there is a small car park on Bridge Street and short term parking on Market Square nearby. However, such conditions are fairly typical of town centre environments and I am not persuaded that the proposal would appreciably exacerbate conditions in these regards any more than the subsisting retail use of the premises. Any unlawful parking would be a matter for the police, but I am satisfied that conditions in the vicinity would tend to discourage this taking place. The road geometry, zebra crossing and narrow footways are also likely to cause drivers to travel with particular care and I note the Highway Authority raised no objections to the proposal.
16. The side of the premises abuts a passageway which affords access to the adjacent estate agents and disabled access and a fire escape to the Old Town Hall, as well as access to properties at Castle Court to the rear and flats above the premises. I saw evidence of domestic and commercial bin storage therein at my visit and I appreciate concerns about its importance as a thoroughfare.

However, I have imposed a condition requiring the provision of waste facilities to be submitted to and agreed with the Council, in order to secure a satisfactory visual appearance and avoid congestion in this area.

17. I am also mindful of the proposals implications in terms of noise and odours for residents living nearby, in particular, the flats above the premises. However, I consider that their living conditions can be adequately protected by conditions requiring details of odour control equipment, the acoustic attenuation of any plant and a scheme for the control of noise more generally emanating from the proposed use, as well as an operating hours condition. Any comings and goings associated with the use of the premises by customers would likely be concentrated along the frontage to Bridge Street, which is unlikely to be intrusive, having regard to the prevailing activity and traffic thereon.

### **Conditions**

18. The Council suggest several conditions. I shall amend these where necessary in the interests of clarity and in order to comply with the Planning Practice Guidance. A condition confining the approval to specified plans is necessary for the avoidance of doubt. Conditions dealing with odour control equipment and the acoustic attenuation of plant and equipment are necessary in the interests of residents living conditions. Following consultation with the parties, I have also imposed additional conditions to those suggested by the Council. These include a condition requiring the Council approval of waste storage facilities in the interests of amenity and to avoid congestion in the side passageway. A condition confining the approval to the basement and ground floor of the premises as sought in the application, is necessary for clarity and conditions specifying the hours of use of the premises and a scheme for protecting the flats on the upper floors from noise associated with the use, are also necessary to protect residents living conditions.

*ALISON ROLAND*

INSPECTOR

## Enforcement Investigations

Received During Period: 1 July 2016 to 31 July 2016

16/00287/CON3

### BUCKINGHAM SOUTH WARD

Alleged unauthorised breach of approved plans/details - fence not erected in accordance with 16/01421/APP

2 Otters Brook Buckingham Buckinghamshire MK18 7EB

Case Officer: Pauline Hawkins

16/00294/CON3

### BUCKINGHAM NORTH WARD

Alleged unauthorised conversion and change of use of garage to residential use

2 Woodlands Crescent Buckingham Buckinghamshire MK18 1PH

Case Officer: Will Holloway

16/00298/CON3

### BUCKINGHAM NORTH WARD

Alleged unauthorised breach of conditions and approved plans/details relating to extraction and ventilation system - 16/00874/APP and 16/A0874/DIS refers (GII LB/Con Area)

3 Well Street Buckingham Buckinghamshire MK18 1EW

Case Officer: Will Holloway

16/00308/CON3

### BUCKINGHAM NORTH WARD

Alleged unauthorised erection of a garden shed to the side elevation

50 Fishers Field Buckingham Buckinghamshire MK18 1SN

Case Officer: Will Holloway

## Enforcement Investigations

Closed During Period: 1 July 2016 to 31 July 2016

16/00182/CON3

### BUCKINGHAM NORTH WARD

Alleged unauthorised breach of approved details regarding tree protection - 12/02104/APP and 12/B2104/DIS refers

(Tree Protection Site Plan WH163/15/P/05.02)

Land To The Rear Of Market Hill West Street Buckingham Buckinghamshire

Closed: Ceased

Case Officer: Will Holloway

16/00238/CON3

### BUCKINGHAM NORTH WARD

Alleged unauthorised breach of approved plans - patio doors appear to be higher - 12/02104/APP etc. refers

Land To The Rear Of Market Hill West Street Buckingham Buckinghamshire

Closed: No breach of control

Case Officer: Will Holloway

**Office@buckingham-tc.gov.uk**

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**From:** Office@buckingham-tc.gov.uk  
**Sent:** 06 September 2016 12:00  
**To:** 'Office@buckingham-tc.gov.uk'  
**Subject:** FW: Environmental Health Concerns

**From:** Green, Neil [<mailto:NGreen@aylesburyvaledc.gov.uk>]  
**Sent:** 02 September 2016 09:43  
**To:** 'townclerk@buckingham-tc.gov.uk'  
**Cc:** Cllr Sir Beville Stanier (Home address)  
**Subject:** RE: Environmental Health Concerns

Dear Mr Wayman,

Thank you for your email regarding your concerns about the handling of planning consultations by Environmental Health and Licensing Services. Planning consultations are amongst the most complex matters that our officers deal with because the environmental health impacts of a proposed development are not always apparent and a full range of environmental health matters often need to be taken into consideration. In addition there are limitations as to what we can and cannot object to and to some extent we do have to rely on information provided by the applicant (so long as the information can be verified as accurate).

In the instances that you have brought to my attention, I am satisfied that the officer did give the planning consultations appropriate consideration and that the actions taken do not demonstrate a lack of judgement from the officer.

With regard to the application 16/02069/APP, it is not uncommon for applicants to specify cesspits for disposal of sewage instead of connection to a main sewer. Sometimes connection to a main sewer is not economically viable due to the location of the development or the existing layout of the site. However the specification of a cesspit is not normally something that would cause concern from an Environmental Health perspective or that we would raise objection to. If maintained correctly and emptied as required they should not cause any environmental health issues. Environmental Health do have separate powers to deal with discharge from cesspits should an issue occur at a later date.

The officers comments on application 16/02641/APP were made after consideration of the location plan and the supporting information provided by the applicant. The location plan showed that the application site was adjacent to industrial/commercial buildings and the supporting information provided was unclear as to whether the building of the new housing developments on this adjacent site had already commenced. The officer therefore decided to take a cautionary approach and stipulate that a noise assessment be completed and standard noise conditions applied. These comments were subsequently withdrawn when it was brought to our attention that the industrial buildings had already been demolished. This approach was entirely appropriate given the information that was available at the time of consideration.

We deal with a very large number of planning consultations across Aylesbury Vale and it is not practical for officers to complete site visits for the majority. Environmental Health play a consultative role throughout the duration of the consultation period and the submission of our initial comments to the Planning team are not the end point of this process. We regularly receive further information from applicants, concerned residents and other interested parties and may revise our comments as a result. Where appropriate, we always strive to ensure that additional information is considered.

I hope that this information provides some reassurance.

Yours sincerely

Neil Green  
Environmental Health Manager  
Customer Fulfilment

Aylesbury Vale District Council

The Gateway  
Gatehouse Road  
Aylesbury  
HP19 8FF

Tel: 01296 585160  
E-mail: [nrgreen@aylesburyvaledc.gov.uk](mailto:nrgreen@aylesburyvaledc.gov.uk)

Visit our website: [www.aylesburyvaledc.gov.uk](http://www.aylesburyvaledc.gov.uk)

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**From:** Town Clerk [<mailto:townclerk@buckingham-tc.gov.uk>]  
**Sent:** 01 September 2016 12:46  
**To:** Cllr Sir Beville Stanier (Home address)  
**Cc:** Vallis, Lindsey; Green, Neil  
**Subject:** RE: Environmental Health Concerns

Dear Sir Beville,

Thank you for the information below, it is good to know that these issues have been rectified. Are you or your team able to show what is happening to prevent such lapses of judgement in the future, as that is what the Town Council is most keen to avoid?

Christopher Wayman MILCM  
Town Clerk  
Buckingham Town Council  
01280 816426

Email: [office@buckingham-tc.gov.uk](mailto:office@buckingham-tc.gov.uk)  
Web Site [www.buckingham-tc.gov.uk](http://www.buckingham-tc.gov.uk)

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**From:** [bdstanier@aol.com](mailto:bdstanier@aol.com) [<mailto:bdstanier@aol.com>]  
**Sent:** 26 August 2016 17:51  
**To:** [townclerk@buckingham-tc.gov.uk](mailto:townclerk@buckingham-tc.gov.uk)  
**Cc:** [lvallis@aylesburyvaledc.gov.uk](mailto:lvallis@aylesburyvaledc.gov.uk); [nrgreen@aylesburyvaledc.gov.uk](mailto:nrgreen@aylesburyvaledc.gov.uk)  
**Subject:** Re: Environmental Health Concerns

Dear Mr Wayman

Further to my acknowledgement of your email, I have discussed the points you raise with my Environmental Health Manager.

He confirms that the issues raised about the cesspit have been addressed. While the cesspit was not referenced in the officers' initial response, further information about the need for one and the construction of it were requested in later correspondence when concerns were brought to the officer's attention.

With regard to the second application referred to, the location plan supplied by the applicant shows commercial/industrial buildings adjacent to the site, but the planning statement refers to proposed housing

development in the adjacent site. In any case, the officer's consultation response requires that the noise criteria for residential properties detailed in BS8233.2014 are adhered to and so the officer's comments remain appropriate.

Billy Stanier

-----Original Message-----

From: Town Clerk <[townclerk@buckingham-tc.gov.uk](mailto:townclerk@buckingham-tc.gov.uk)>

To: bstanier <[bstanier@aylesburyvaledc.gov.uk](mailto:bstanier@aylesburyvaledc.gov.uk)>

Sent: Tue, 23 Aug 2016 16:24

Subject: Environmental Health Concerns

Dear Sir Beville,

The Town Council have asked me to contact you regarding concerns that the Town Council have in regard to the performance of a member of staff within the Environmental Health Department. However, there is no information available on AVDC's website to indicate who the appropriate line manager to contact would be.

The problems complained of are

1. The fact that they missed that there is a cesspit planned for a property in the geographical centre of the town, at the entrance to a housing estate. No details of the cesspit, its siting within the plot or why connection to the main sewer is not proposed were supplied with the application (16/02069/APP), nor requested.
2. For another planning application (16/02641/APP) her consultee response raises concerns about adjoining industrial units causing noise pollution and goes into some detail about mitigation measures. These units were demolished some years ago and a housing estate is being built on the site (which is referenced in the documents supplied).

The member of staff is a Technical Officer and we would be most grateful if you could advise who we should raise these issues with.

Christopher Wayman MILCM

Town Clerk  
Buckingham Town Council  
01280 816426

Email: [office@buckingham-tc.gov.uk](mailto:office@buckingham-tc.gov.uk)  
Web Site [www.buckingham-tc.gov.uk](http://www.buckingham-tc.gov.uk)

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