



# BUCKINGHAM TOWN COUNCIL

TOWN COUNCIL OFFICES, BUCKINGHAM CENTRE,  
VERNEY CLOSE, BUCKINGHAM. MK18 1JP

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[www.buckingham-tc.gov.uk](http://www.buckingham-tc.gov.uk)

Town Clerk: Mr. C. P. Wayman

Tuesday, 10 May 2016

Councillor,

You are summoned to a meeting of the Planning Committee of Buckingham Town Council to be held on **Monday 16<sup>th</sup> May 2016 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 1.3, which will last for a maximum of 15 minutes, and time for examination of the plans by Members.

## AGENDA

- 1. Election of Chairman**  
To elect a Chairman of the Committee for 2016 – 2017
- 2. Election of Vice Chairman**  
To elect a Vice-Chairman of the Committee for 2016 – 2017
- 3. Apologies for Absence**  
Members are asked to receive apologies from Members.
- 4. 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.
- 5. Minutes**  
To receive the minutes of the Planning Committee Meeting held on Monday 25<sup>th</sup> April 2016 to be ratified at the Full Council meeting held on 27<sup>th</sup> June 2016.  
**Copy circulated with agenda**
- 6. Terms of Reference**  
Per the agreement at Full Council on 9<sup>th</sup> May 2016, to review the Terms of Reference for 6.1 Planning Committee  
**Appendix A**  
Members are reminded that the following Recommendation was agreed at Full Council and has been incorporated already

Buckingham



Twinned with Mouvaux, France



Proposed by Cllr. Try, seconded by Cllr. Isham, and **RECOMMENDED** that the Committee's Terms of Reference be amended as follows in line with AVDC's new divisions so that paragraph 11, under **Area of Operations**

11. The Committee shall be responsible for and have the authority for (unless stated elsewhere) the following aspects of the Town Council's functions:

- Planning Applications (excluding those for more than 20 10 houses or for new multi-unit retail and multi-unit industrial developments)
- Transport
- Forward planning
- Planning Enforcement

## 6.2 Tree Subcommittee

## Appendix B

These have not been reviewed since consultation on tree applications ceased, so have to be adapted to take account of the change. If Members are satisfied with the current scheme of email consultation followed by the consensus or majority response being emailed to AVDC, they can be rewritten for consideration at the next meeting.

In both cases any agreed changes have to be submitted as a Recommendation to Full Council.

## 7. Buckingham Neighbourhood Plan/Vale of Aylesbury Plan

To receive a report on the VALP Scrutiny Committee meeting held on 11<sup>th</sup> May at The Gateway – Cllrs. Bates, O'Donoghue and Try

## 8. Action Reports

To receive action reports as per the attached list.

8.1 (860.3; School places) To receive a response from Cllr. Paternoster

8.2 (840; Page Hill Nursery) To receive a response from BCC

8.3 (865.2; signage) To receive a response from Waitrose

8.4 (881; Cotton End steps) To receive the requested briefing note from the Town Clerk

**Appendix C**

**Appendix D**

**Appendix E**

**Appendix F**

**PL/02/16**

## 9. Planning Applications

For Member's information the next scheduled Development Management Committee meetings are 19<sup>th</sup> May, 9<sup>th</sup> & 30<sup>th</sup> June 2016, with SDMC meetings on **Friday** 20<sup>th</sup> May, 8<sup>th</sup> & 29<sup>th</sup> June 2016.

To consider planning applications received from AVDC and other applications

1. 16/01413/APP Land off Chandos Road  
Construction of two and half storey block containing nine flats and one two storey detached house, including new vehicular access off Wagland Gardens and associated parking cycle, and bin store and landscaping.  
*W.E.Black*
2. 16/01421/APP 2 Otters Brook, MK18 7EB  
Erection of 1.8m fence  
*Hughes*
3. 16/01459/APP 96 Moreton Road, MK18 1PW  
Erection of front porch onto an existing open storm porch with pitched roof extended  
*Sturgess*

The following two applications can be considered together:

4. 16/01523/AAD 4-5 Bridge Street, MK18 1EL  
 5. 16/01569/ALB Retention of non-illuminated fascia sign  
*Thomas [Michael Graham Estate Agents]*
6. 16/01575/APP 38 Embleton Way, MK18 1FJ  
 Conversion of integral garage into habitable accommodation  
*O'Neill*

**AMENDED PLANS**

7. 16/00929/APP 11 Sandhurst Drive, MK18 1DT  
 Erection of first floor side extension over existing extension  
 over existing extension  
*Beresford*

**Not for consultation:**

8. 16/01120/HPDE 18 Lenborough Close, MK18 1SE  
 Demolition of existing conservatory to rear. Erection of a  
 single storey rear lean-to extension, which would extend  
 beyond the rear wall of the original house by 3.3m, for which  
 the maximum height would be 3.6m, and for which the height  
 of the eaves would be 2.1m.  
*Hermon*
9. 16/01517/ATP Land at Salisbury Cottages, Bath Lane  
 T1 Oak – reduce the lateral branches extending towards 1/2  
 Salisbury Cottages  
*University of Buckingham*

**10. 10.1 Planning Decisions**

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

			<b>BTC response</b>	<b>Officer recomm<sup>n</sup>.</b>
<b>Approved</b>				
15/04011/APP	Land at Market Hill	Conv. Grade II Listed Summerhouse	Support in principle	-
15/04012/ALB		to 2-bed single storey dwelling	Support in principle	-
16/00121/APP	29-30 West St.	Ch/use upper floors A1 (retail) to	Oppose&attend*	Approve
16/00122/ALB		C3 (dwelling)		
16/00799/APP	4 Cheyne Close	1 <sup>st</sup> fl. front ext. over porch	No objections	-
16/00880/APP	35 Meadway	Pitched roof over garage	No comment	-
16/00874/APP	3 Well Street	Var.to 15/03645/APP	No objections**	-
16/00885/APP	14 Boswell Court	Single storey side extension	No objections	-
16/00901/APP	41 Whitehead Way	S/st.rear extn & garden store (retrosp).	No comment	-
16/00910/APP	6 Busby Close	First floor side extension	No objections	-

\* This matter is being taken up with the officer; the decision was dated 9/5/16

\*\* Members will find attached for information some minor amendments which we were not advised of, and which bear the same date as the approval form. **Appendix G**

**Not Consulted on:**

**Approved**

- 16/00742/ATP Land beh. Lenborough Cl. Works to trees n/a  
 16/00751/ATP Royal Latin School Work to trees T4126 & 4127 n/a  
 16/01156/ATC 10 Chandos Road Fell 3 trees Objections were sent

**Prior approval not required**

- 16/01138/HPDE Avenue Ho., Avenue Rd. Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.5m, for

which the maximum height would be 3.6m, and for which the height of the eaves would be 2.5m.

## 10.2 Planning Inspectorate

15/04176/APP Direct Pizza Co., 25 Hillcrest

Operation of a hot food takeaway counter for customer collection within the existing hot food preparation and delivery business  
*Cain*

Appeal against refusal of permission (15/3/16)

To discuss whether to add any further comments to those made already (attached for information):  
last date to file extra comments 3<sup>rd</sup> June 2016.

The applicant's Grounds of Appeal is also attached

**Appendix H**  
**Appendix I**

## 11. Development Management Committee Case Officer Reports (& Recommendations)

Reports have been received for the following applications, and are available in the office

### 11.1 Strategic Development Control (19<sup>th</sup> May 2016)

### 11.2 Development Control (20<sup>th</sup> May 2016)

11.3 To receive a report from Cllrs. Cole and Bates on the SDMC meeting of 27<sup>th</sup> April 2016 (application 14/02601/AOP, Moreton Road Phase III)

**Appendix J**

## 12. Enforcement

12.1(16/00106/CON3; 53/55 Nelson Street) To receive a report from Mr. Dales **Appendix K**  
12.2 (885.2) Response from Mr. Dales **Appendix L**  
12.3 To report any new breaches

## 13. Lace Hill Employment/Health site

To receive any update.

## 14. Transport

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

## 15. Access

To report any access-related issues.

## 16. Information

To receive for information the Guidance Notes issued with a SLCC Planning Training Session attended by the Deputy Town Clerk and the Committee Clerk in April 2016

**Appendix M**

## 17. Correspondence

16.1 To receive and discuss a letter from Mr. Richard Pill, trading as English Regional Transport Reform. **Appendix N**

## 18. News releases

## 19. Chairman's items for information

## 20. Date of the next meeting:

Monday 6<sup>th</sup> June 2016 following the Interim Council meeting.

To Planning Committee:

Cllr. Ms. J. Bates

Cllr. M. Cole

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 (Vice Chairman)

Cllr. R. Stuchbury

Cllr. M. Try

Mrs. C. Cumming

(co-opted member)



## Buckingham Town Council

### Terms of Reference

**Date Agreed: 09/05/2016**

**Minute Number:**

**Prepared by:**

Christopher Wayman

**Version: 3.0**

#### Name

1. The Committee shall be known as the **PLANNING COMMITTEE**.
2. The Committee may be referred to as Planning.

#### Membership

3. Membership of the Committee is open to any Councillor who wishes to be a member
  - 3.1. Councillors who are not Members of the Committee may attend the meeting, but they may not vote on a decision.
4. The Committee shall be subject to a quorum of 3 or one third of its membership, whichever is greater.
5. In the event of an inquorate meeting, the Chairman, Vice-Chairman and the Mayor may agree a response to a time-sensitive application, either by re-arranging the meeting or, should time not allow, agree a decision in line with Council Policy and planning history. Should one or all of the designated Councillors not be present or available then those present, numbering not less than three, shall agree a response.

#### Chairman

6. The Committee shall elect a Chairman at the first meeting after the Annual Town Council Meeting. The Chairman's period of office is for one year.
7. The Committee shall elect a Vice-Chairman at the first meeting after the Annual Town Council Meeting. The Vice-Chairman's period of office is for one year.
8. The Chairman if present shall Chair the Committee meeting.

#### Conduct of the Meeting

9. All meetings of the Planning Committee shall be convened in accordance with the Town Council's standing orders and current legislation.
10. All business undertaken at the Planning Committee shall be done in accordance with the Town Council's standing orders and current legislation

#### Area of Operations

11. The Committee shall be responsible for and have the authority for (unless stated elsewhere) the following aspects of the Town Council's functions:
  - Planning Applications (excluding those for more than 10 houses or for new multi-unit retail and multi-unit industrial developments)
  - Transport

- Forward planning
- Planning Enforcement

12. In addition to the areas of operation above the Planning and Development Committee has the following responsibilities:

- 12.1 to undertake all powers and duties of the Council in respect of the powers conferred on it from time to time under the Town and Country Planning Acts and the Orders and Regulations including development control and the Local Development Framework process and any other strategic plans for Aylesbury Vale
- 12.2 to undertake all powers and duties of the Council in respect of Neighbourhood Planning and Development under the Localism Act
- 12.3 to make representations to the Local Planning Authority on applications for planning permission which have been notified in accordance with the relevant legislation which are below 20 housing units and non-mixed development.
- 12.4 the determination of responses on behalf of the Council in respect of all applications relating to the preservation and other works with respect to trees and tree preservation orders
- 12.5 to make suggestions in respect of street naming.
- 12.6 to make representations involving Listed Buildings and the Conservation Area in Buckingham
- 12.7 to act as the consultee and make representations as required in respect of all matters relating to roads and highways including, road signs, street furniture, street lighting, car parking, traffic management, footpaths, traffic regulations and bus services
- 12.8 Public Services – to act as the consultee, make representations, and support as required all matters relating to
  - housing strategy
  - public/community transport including Local Transport Plans
  - utility services (gas, electricity, telecommunications, water, sewerage, flooding, etc)
  - waste infrastructure
  - mineral extraction
  - planning policy changes

### **Further Information**

- 13. The Committee has authority to proceed with all items within its budget, but must refer to full Council when non budgeted expenditure is anticipated.
- 14. The Committee shall appoint sub committees and working groups as and when it is deemed necessary and shall set out Terms of References for those bodies
- 15. The Committee shall undertake reviews of Terms of Reference as and when appropriate for sub-committees and working groups under its remit, and should make recommendations to Full Council regarding its own Terms of Reference.

**Terms of Reference**

1. The subcommittee shall be known as the Tree Application Subcommittee.
2. The subcommittee will have delegated authority to make response on behalf of the Buckingham Town Council Planning Committee to tree works applications received from AVDC if the response date for any application falls before the next scheduled Planning Committee meeting.
3. The subcommittee will work within the Planning Committee Terms of Reference.
4. The subcommittee will report its response to the immediately following Planning Committee meeting.
5. The subcommittee may include Councillors who are designated Tree Wardens, whether or not these Councillors are Members of the Planning Committee.
6. A minimum of three members of the subcommittee may agree the response to the application, including making recommendation that a Protection Order be drawn up for the subject tree/trees; these three to include the Chairman of the Planning Committee and a Tree Warden.
7. The subcommittee will meet only as and when required.

## ACTION LIST

## Planning responses

Minute	Responses emailed or added to website	Responses posted
882	27/4/16 (9 + 3 Amended Plans)	27/4/16 (all)

Subject	Meeting date/ minute	Action taken on	Form	Response received	Prompt/ reminder sent	Response received
BCC Transport meetings	14/9/15 408.1/15	1/10/15	Ask about follow-up meeting	Prompt sent 11/11/15		
Tesco toucan crossing	30/11/15 570.1	3/12/15	Write to Tesco & BCC as minuted	No response to our letter received, but BCC letter → 1/2/16	(1/2/16) 735/15 send our letter to revised address	<b>9/2/16 phone call; to be followed up with letter</b>
A413 road sign	<del>22/2/16</del> <del>785/15</del>		<del>Add item to next agenda</del>	<del>Agenda 10.1</del>		
	22/2/16 790/15	2/3/16	Ask for repair and additional lettering as minuted	Agenda 5.5	Request for repair re-sent 24/3/16	
"Clarence Park"	22/2/16 791/15	25/2/16	Report poor dropped kerb on Tingewick Road			
Integrated traffic proposals	11/4/16 838/15	15/4/16	BCC asked for timing			
Candleford Court	21/12/15 642.4	3/12/15	Prompt re repair of path surface	Response → 21/12/15	Telephone contact attempted 23/12/15; emailed instead	Reply from Guinness → 18/1/16
	642.1	30/12/15	Ask RoW if path could be adopted	Response deemed unsatisfactory		
Travel Plans (effectiveness)	14/9/15 403.1	1/10/15	Ask RLS for review later in year	3/12/15 Prompt sent	<b>Review will be available July 2016</b>	
Employment development	24/8/15 343.3	14/9/15	Letters as minuted	30/12/15 – response to be sent in New Year	Chased 5/2/16 and 10/3/16	<del>Agenda 5.8</del>
	21/3/16 860.8	Chased 30/12/15	To be standard agenda item + letter as minuted	Cllr. Bowles & SEMLEP Agenda 5.2		
	25/4/16 880	7/4/16				
Tree applications	2/11/15 520/15	12/11/15	Concerns about tree applications	<b>Reply circulated in folders 25/4/16</b>		
SDMC/DCC	18/1/16	22/1/16	Do chart of	→	1/2/16; 731.3 letter	<del>Agenda 5.7</del>



Subject	Meeting date/ minute	Action taken on	Form	Response received	Prompt/ reminder sent	Response received
meetings	693.3/15 21/3/16 860.7	7/4/16	meeting delays Respond as minuted	1/2/16	to SDMC & DMC Chairman sent 10/2	
DCLG NHB Consultation	1/2/16 734/15	10/2/16	File agreed responses Letter to J Bercow re Q4	Holding response circulated at 22/2/16 meeting		
School places	1/2/16 737/15 21/3/16 860.3/15	10/2/16 7/4/16	Letter to Cllr. Mohammed BCC Cabinet Ask AVDC for comments	<del>Written question response from BCC Council meeting Agenda 5.3</del> <b>Agenda 7.1</b>		
BCC strategic planning	22/2/16 784/15	2/3/16	<b>Town Clerk</b> to write as minuted			
BNDP	21/3/16 859/15		<b>Town Clerk</b> to do report to FC			
Cotton End steps	21/3/16 860.1 25/4/16 881/16		<b>Town Clerk</b> to action planning & funding application Town Clerk to provide briefing note	<b>Agenda 7.4</b>		
Tingewick Road Ind.Est. riverbank	21/3/16 860.2	7/4/16	Response to Mrs Kitchen as minuted			
Signage, Lace Hill	21/3/16 860.5		<b>Town Clerk</b> to investigate signage			
Dominos appeal	21/3/16 862.2/15	24/3/16	Send photo as minuted			
Shopfront signs	21/3/16 865.2	8/4/16	Letters to Waitrose & Timpsons	<b>Waitrose : Agenda 7.3</b> <del>Timpson's not sent as repaired before signed</del>		
Page Hill Nursery	11/4/16 840/15	15/4/16	Ask Andrew Tusting BCC about temp classroom	Receipt acknowledged 19/4/16; reply to follow <b>Agenda 7.2</b>		
Town centre limit	11/4/16 840/15	15/4/16	Ask AVDC to define	<b>Request forwarded to Forward Plans by S Kitchen</b>		
Fault reporting	11/4/16 846/16	15/4/16	Ask TfB for criteria			
Plan & settlement boundaries	11/4/16		<b>Town Clerk</b> to report on case law			
VALP	880/15 25/4/16		<b>All Cllrs</b> to attend meetings as convenient	<b>Report on 11<sup>th</sup> May Agenda 7</b>		
A-boards	25/4/16 887/16		<b>Deputy Town Clerk</b> to			

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
			pursue policy and action as minuted			
Skatepark Bollards	25/4/16 887		Replace damaged bollards	<b>New bollards are already on order</b>		
Lace Hill Bridlepath	25/4/16 888		Check whether surface is appropriate			

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	
Hedge & parking at Rugby Club	2/11/15 523.2	3/11/15  3/12/15	JH to supply details; report sent Chase response and include bus stop path	Check wildlife habitat aspect of hedge loss; Responses from P Dales & Paul Holton →18/1/16	690.3/15 Check AHR requirements Check Moreton Rd II planting Emails sent 22/1/16	
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			
	25/4/16 885.2	6/5/16	Pass query to P Dales as minuted	<b>Agenda 12.2</b>		
News releases						
	25/4/16 890/15	28/4/16	Moreton Rd III SDMC result	<i>Advertiser</i> 6/5/16		

Action awaiting response

Action yet to be taken

Action completed **new response**

# AYLESBURY VALE DISTRICT COUNCIL

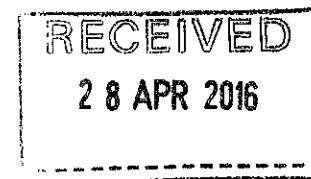
**Councillor Mrs Carole Paternoster**  
**Cabinet Member for Growth Strategy**

Telephone: 01296 585717  
Text Relay: prefix telephone number with 18001  
Email: cpaternoster@aylesburyvaledc.gov.uk  
Our Ref: BTC.Schools. Apr2016  
Your Ref: Min 860.3/15



27<sup>th</sup> April 2016

Mr C P Wayman  
Town Clerk  
Buckingham Town Council  
Buckingham Centre  
Verney Close  
Buckingham  
MK18 1JP



Dear Mr Wayman

## **RE: School Buildings not Commissioned by BCC**

Thank you for your letter dated 7 April 2016 and for the written questions and answers from Cllr Mohammed, the Cabinet Member for education at the County Council.

Whilst the outline planning application and reserved matters planning applications for this development were submitted to this Council, as the local planning authority, for approval, the County Council, as education authority, were consulted and involved at each stage of the application process.

The size of the school was secured at the outline stage with the input from the County Council's education officers. The specifications for the school were secured in the County Council's own legal agreement, requiring the agreement of the detailed specifications, which would have included the size of the school hall, and the compliance with County's requirements. BCC officers had negotiated this, not AVDC officers. Please be assured that AVDC would have facilitated securing this and would not have agreed details that were not acceptable to the County Council.

At the reserved stage (reference 13/02832/ADP) the County Council's education officers were consulted and, as far as this Council was concerned, we had understood that these met with their requirements and were drawn up in discussion with their education officers.

I was not aware that there were issues with the construction quality nor the drainage, and must stress that this is a matter for Bucks County Council to pursue with the developers in any deficit discussions following the handover of the school. I note that this is acknowledged by Cllr Mohammed.

The building regulations application for the school were dealt with by approved inspectors not by AVDC's building control section and I therefore cannot comment on the outstanding drainage and design quality of the construction.

With regard to the concerns over the community centre/pavilion, similarly the building regulations were dealt with by approved inspectors and not by AVDC's building control section. I understand that the Town Council have now taken over this building from the developers and it is therefore the responsibility of the Town Council to ensure that any snagging issues in relation to the

Cabinet Office

The Gateway Gatehouse Road Aylesbury Bucks HP19 8FF  
DX 4130 Aylesbury 1  
www.aylesburyvaledc.gov.uk



construction of this building are resolved directly with the developer.

I hope that this helps to clarify the position.

Yours sincerely

A handwritten signature in cursive script that reads "Carole Paternoster". The signature is written in black ink and is positioned above the typed name.

Carole Paternoster

**From:** Campbell-Balcombe, Paula [mailto:pcbalcombe@buckscc.gov.uk]  
**Sent:** Tuesday, April 19, 2016 9:47 PM  
**To:** Townclerk@buckingham-tc.gov.uk  
**Cc:** Tusting, Andrew; Terry, Alison  
**Subject:** RE: Tusting 840-16

Dear My Wayman

Many thanks for your letter addressed to Andrew Tusting. Andrew does not deal with matters such as this and therefore has passed the letter onto me for a response.

BCC is aware of the proposed development and is part funding the scheme. I am not sure why you believe the building to be a temporary building. It is in fact a structure that has a minimum guaranteed life of 50 years. BCC has used very similar buildings on several sites to provide both nursery and school accommodation. It is therefore in no way comparable to a temporary classroom and should not be considered as such.

In response to your comment regarding the visual impact of the proposed building; having recently visited the site and observed the proposed location, it would be my view that this could only enhance the view of the school as it is approached. Currently you are faced with parked cars and a boiler room. This building is attractive and will offer a much warmer welcoming façade to the school. It might be helpful if the Committee visited the site to appreciate that the building could only improve the first impression a visitor has to the school compared to the current buildings.

BCC are supporting the proposed building as it will provide much needed additional pre-school provision to the area in line with statutory Government requirements.

I hope that this response is of assistance and if you would like to discuss this further please do not hesitate to contact me.

Kind regards

Paula

Paula Campbell-Balcombe  
Strategy Manager  
School Commissioning  
Children's Social Care and Learning  
Buckinghamshire County Council  
Walton Street  
Aylesbury  
Bucks HP20 1UZ

Tel: 01296 382 896  
Mob: 07770 667 468

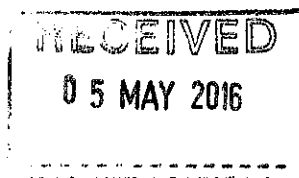
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**From:** Tusting, Andrew  
**Sent:** 19 April 2016 09:59  
**To:** Campbell-Balcombe, Paula; Terry, Alison  
**Subject:** Tusting 840-16

Dear Paula and Alison

FYI

Best wishes



# Waitrose



Mr C Wayman  
Buckingham Town Council  
Town Council Offices  
Buckingham Centre  
Verney Close  
Buckingham  
MK18 1JP

1st May 2016  
01851566

Dear Mr Wayman

Thank you for your letter regarding the Waitrose sign at our Buckingham branch.

We've contacted the customer service manager at the branch, Andy Campbell, who advised that this has been raised with the branch maintenance manager. He's currently awaiting confirmation as to when the "S" can be replaced.

Andy also advised that the sign wasn't refurbished recently, but instead every letter on the sign was removed by vandals one night. The branch managed to find every letter except the "S", which has never been located.

I hope this information is helpful, and can assure you that we will be replacing the missing letter as soon as we can. For any further updates, I would recommend speaking to the branch management team directly, as they'll be happy to assist.

Yours sincerely

Abigail Pearce  
**Customer Service**

Food shops of the John Lewis Partnership  
Customer Service

Bracknell, Berkshire RG12 8YA  
Telephone 0800 188 884  
Facsimile 01344 824978  
email [customersupport@waitrose.co.uk](mailto:customersupport@waitrose.co.uk)  
[www.waitrose.com](http://www.waitrose.com)

**BUCKINGHAM TOWN COUNCIL****PLANNING COMMITTEE****MONDAY 16 MAY 2016****Agenda Item no. 8.4**

**Contact Officer: Mr C.P. Wayman  
01280 816426**

**Cotton End Steps****Background**

Members are aware of the background surrounding the situation; as a result there is only a brief summary here. Upon building the houses, a temporary paved slope with a gate was installed running from the London Road into Cotton End on the Lace Hill Estate per the approved drawing. This was subsequently removed with "sloped steps" being installed closer to the Tesco end of the road. Subsequently discussions were had with Aylesbury Vale District Council and Buckinghamshire County Council. This came to an impasse with AVDC and BCC wanting confirmation that residents had no objections to a proposed slope.

**Update**

There was a meeting held at Cotton End Steps with local residents to see if a simple resolution or reasoning would convince them that a slope would be acceptable. As it turned out residents hadn't been consulted about a slope going in the general vicinity of the existing steps, only in the previous place. Residents were universal in their agreement for a slope to take the place of the existing steps.

As a result I am compiling emails from the local residents to show there is no objection to the proposals. I have also spoken to Graham Smith at BCC who I am hoping will be able to organise the survey for levels, services locations or other works necessary for a detailed planning application to be drawn up alongside the drawings needed to carry out the works.

Therefore with all parties' agreement it is hoped that the slope proposal can be moved forward.

From: Breen-Haynes, Morwenna

Sent: 3 May 2016 11:19:31 +0100

To: Jarratt, Rebecca

Subject: FW: 3 Well Street - Minor revision to proposed fire escape plans

Attachments: Ground floor plan PDF.PDF

Dear Rebecca, In regards to the new layout of the front staircase and lobby area then I am happy to confirm these changes are acceptable in terms of their impact to the listed building. In fact, I am pleased that the exterior door will remain as a functioning door. I would suggest that a condition is added to the consent to deal with the treatment of the door to enable it to become a 'fire escape'. I will contact Sally directly to discuss the changes as a whole and the requirement for a new listed building consent.

Kind Regards,

Morwenna Breen-Haynes

Assistant Heritage Officer AVDC Heritage Team 01296 585 388 The Gateway Gatehouse  
Way Aylesbury Buckinghamshire HP19 8FR

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From: SALLY TERRY

Sent: 03 May 2016 10:20

To: Breen-Haynes, Morwenna; Jarratt, Rebecca

Subject: 3 Well Street - Minor revision to proposed fire escape plans

Good Afternoon Rebecca & Morwenna,

My construction company have been speaking to John Raynor of Building Control and as a result we are seeking to make a minor revision to the Fire Escape plan. Previously, Graham's plans saw the fire escape from the first floor come down the original stairs and then come back into the main ground floor room via the lobby and then out the front doors. We are now proposing that the fire escape route will be straight down the stairs and out onto the street via a pair of push bar fire doors at the bottom of the stairs. The main staircase will then loop back into the main ground floor room past the understairs storage cupboard via a self closing fire door. This new proposed layout has been drawn up by an Architectural Technician and I have attached this drawing.

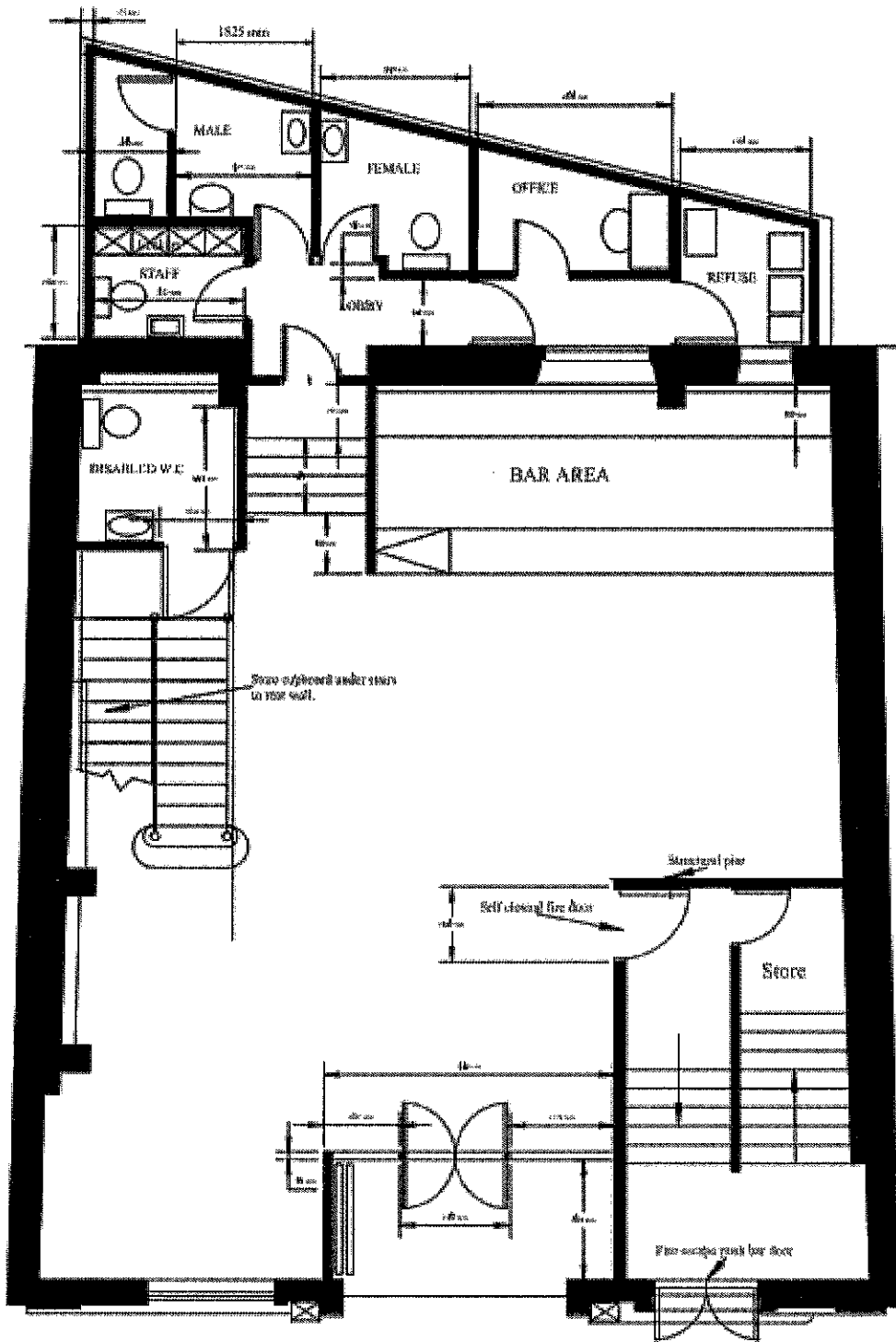
As I understand it this is a more practical layout and doesn't fundamentally change the plans already submitted but John Raynor has said that we need to get the OK from yourselves before making this change.

I am sending this through in Graham's absence so forgive me if I am circumventing the process in any way. Could you advise next steps.

Many thanks in advance,

Sally Terry






Scale bar

1m



 <b>HOLDEN</b> CONSTRUCTION	The Gargage, Well Street.		
	site Ground floor plans as proposed		
Size	Scale	Draw No	Rev
A3	1:50	102/1	

**Planning Committee 16<sup>th</sup> May 2016**  
**Agenda item 10.2**

**DIRECT PIZZA LTD, APPEAL AGAINST REFUSAL**

Members have responded already as follows:

Meeting of 21<sup>st</sup> January 2016:

**15/04176/APP**

**NO OBJECTION**

Direct Pizza Co., 25 Hillcrest Way

Operation of a hot food takeaway counter for customer collection within the existing hot food preparation and delivery business

*Members discussed the increase in retail activity on the Industrial Park and would have preferred a suitable town centre site, but recognised that Lace Hill presented a sizeable adjacent customer source and voted 8:2 for No Objection.*

AVDC's refusal (15/3/16) contained only one reason for refusal:

The National Planning Policy Framework (paragraph 24) requires planning authorities to apply a sequential test to planning applications for main town centre uses that are proposed in locations not within an existing centre. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available in such areas should out of centre sites be given consideration. This application is not supported by a sequential assessment to justify the out of centre location for this main town centre use and therefore the planning authority cannot be satisfied that no reasonable alternatives in more sustainable locations are available. The proposed change of use cannot therefore be considered a sustainable form of development and approval would potentially detract from the vitality and viability of the town centre and would be in direct conflict with advice set out in the National Planning Policy Framework.

Members are reminded that a very similar application was considered last meeting, to which their reply was

**16/01319/APP**

**NO OBJECTIONS**

Direct Pizza Co. Ltd., 25 Hillcrest

Variation of Condition 2 imposed by permission ref. 08/02131/APP to allow operation of a hot food takeaway counter (A5 use)

*Members would prefer to see retail activity in the town centre; however there is a growing number of retail premises in the industrial area, though none with an evening trade. Members voted 6:4 with one abstention to return No Objections to the proposal.*

**Grounds of Appeal against the refusal of planning permission:-  
25 Hillcrest Way, Buckingham MK18 1HJ**

**1.0 REFERENCES**

- 1.1 The subject of this Appeal is the application for planning permission for operation of a hot food takeaway counter for customer collection within the existing hot food preparation and delivery business. This was registered by Aylesbury Vale District Council (LPA) as application 15/04176/APP on 14<sup>th</sup> December 2015.
- 1.2 The LPA refused the application by a notice dated 15<sup>th</sup> March 2016<sup>23</sup><sup>rd</sup> September 2015 with the single reason:-  
"The National Planning Policy Framework (paragraph 24) requires planning authorities to apply a sequential test to planning applications for main town centre uses that are proposed in locations not within an existing centre. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available in such areas should out of centre sites be given consideration. This application is not supported by a sequential assessment to justify the out of centre location for this main town centre use and therefore the planning authority cannot be satisfied that no reasonable alternatives in more sustainable locations are available. The proposed change of use cannot therefore be considered a sustainable form of development and approval would potentially detract from the vitality and viability of the town centre and would be in direct conflict with advice set out in the National Planning Policy Framework."
- 1.3 The Appellant requests that the Planning Inspector upholds this Appeal to grant full planning permission for the requested operation.

**2.0 DESCRIPTION OF THE PROPOSAL**

- 2.1 The proposal is to secure planning permission for the operation of a hot food collection counter, for sales to the visiting public, within the existing, hot food preparation and delivery premises. This would be by the variation of a limiting condition from the permission 08/02131/APP. The existing business has been operating for seven years under this permission and has been on the estate for twenty years.

**3.0 THE SITE AND ITS LOCATION**

- 3.1 The site is currently an existing commercial unit with a gross plan area of 96m<sup>2</sup> and a rateable floor area of 89.38m<sup>2</sup>.
- 3.2 It has a rectangular, level area of approximately 170m<sup>2</sup> defined by kerbs and posts. It has on-site parking provision for five vehicles.
- 3.3 The site is part of a terrace of five industrial units which, in turn, form a quarter of the units arrayed around Hillcrest Way; part of the larger Buckingham Industrial Estate. Extensive, unallocated parking is available on the adjacent roadways. The Planning Statement records the presence and operations of a number of retail units on the estate.

**4.0 POLICIES**

- 4.1 The LPA has only referred to the National Planning Policy Framework 27<sup>th</sup> March 2012; paragraph 24. This states that LPAs "should" apply a sequential test to planning for main town centre uses. "Preference should be given to accessible sites that are well connected to the town centre". "LPAs should demonstrate flexibility on issues such as format and scale"

**5.0 EXPLANATORY COMMENTS**

- 5.1 The Appellant considers that the LPA has wrongly interpreted the NPPF in requiring the Appellant to provide the results of a sequential test. The LPA has

failed to define the sequential test or to apply one. It has dismissed the Appellant's statement of the obvious situation; namely, that the Appellant does not own or lease any other property in the town centre or secondary zones or beyond and is merely wishing to make a minor adjustment in the existing food operation premises. A pragmatic sequential test is answered and the proposal supported in the face of the commercial naivety and the misjudged obstruction of the LPA.

- 5.2 The LPA is actively resisting changes of use to A5 in the centre of Buckingham as evidenced below (5.6, 5.7). The LPA has not proactively applied any test or proposals for the continued functioning of the town centre and merely provides an obstacle to a modest development.
- 5.3 With regard to paragraph 24, the Appellant's current operation is not in a main town centre and is presumably not considered one by the LPA. The mere addition of a takeaway counter to the existing kitchen is not going to suddenly cause the closure of Buckingham.
- 5.4 The LPA has failed to demonstrate any flexibility in relation to the minor format alteration proposed or the insignificant scale of traffic and customers that the development is likely to raise. Any traffic increase is likely to occur out of working hours of the remaining estate and the parking provisions exceed anything possible for town centre units. The LPA seems to have forgotten the 200 house estate it has permitted to be built on the east side of the A413; the variously named Windsor Park / Lace Hill / Bent Hill development. These dwellings are closer to the proposal site than the town centre.
- 5.5 Contrary to LPA opinion, the NPPF offers extensive support to the scheme:-

For example, Paragraph 7) includes:-

- An economic role – the scheme will contribute to the economy by using the right land in the right place, support an existing business and provide adequate parking.
- A social role – enhancing the variety of services available for the public and maintaining a local business without impacting on neighbours.
- An environmental role – protecting the historic environment by keeping an A5 use out of the centre and reducing pollution. It, also, has adequate parking.

Para 11) "The presumption in favour of sustainable development requires that applications...must be determined in accordance with the development plan unless material considerations indicate otherwise". Obviously, a minor alteration with the least amount of physical demolition and refurbishment should be permitted.

Para 14) Again, the NPPF states that there is a presumption in favour of sustainable development. The proposal should have been permitted as there is no adverse impact that "would demonstrably outweigh the benefits".

Para 58) The proposals function well and add to the overall quality of the area, optimise the potential of the site, responds to local character and history, creates a safe and accessible environment and is visually attractive.

Para.65) "LPAs should not refuse planning permission for buildings...which promote high levels of sustainability". Although not a new building, the proposal offers an enhanced use and service with very little alteration; a correct use of the much misapplied word "sustainability" and the further utilisation of an existing building and operation.

- 5.6 The Appellant has pointed out that the LPA has resisted the change of use application 15/02125/APP for the creation of an A5 use for Dominos Pizzas at 2 Bridge Street, Buckingham. This cited the breaching of a 35% limit in the non-A1 uses in primary retail frontages. The Town Council had argued that the lack of any on-site or on-street parking in the area would also be a valid reason. The Bridge Street shop is, currently, the subject of an Appeal.
- 5.7 The Appellant notes the consequential withdrawal of a change of use from A1 to A3, A4 & A5 application 15/01068/APP for a building at 29-30 West Street, Buckingham. As well as being for a Grade II Listed building, the operation would have had no on-site or adjacent on-street parking. The Appellant notes that car-borne customers are an endemic feature of modern life and that the proposal for the takeaway on the industrial estate is entirely appropriate.
- 6.0 CONCLUSION**
- 6.1 The Appellant considers that the LPA has refused the application on a purely subjective, biased and misjudged basis. The LPA has failed to correctly interpret the cited NPPF paragraph and has chosen an obstructive and negative attitude to the proposal. The Appellant considers that the LPA has not acted in a positive or proactive manner despite its protestations in the refusal notice. For such a minor scheme and uncontentious application, this ill-judged refusal has caused unnecessary expense and delay for the Appellant.
- 6.2 Contrary to LPA misgivings, the upholding of this Appeal will not devastate the local environs, cause any inconvenience or loss of amenity for any parties or herald the release of a torrent of similar developments across Buckingham or the Aylesbury Vale.
- 6.3 The Appellant requests the upholding of this Appeal and the granting of planning permission for the development.

**Planning Committee 16<sup>th</sup> May 2016**  
**Agenda item 11.3**

**SDMC April 27<sup>th</sup> 2016**

**Application 14/02601 AOP, 130 homes at Moreton Road Phase 3**

Cllrs Jenny Bates and Mark Cole attended the SDMC this afternoon to put our objections to the above development. Below is what MC said to the Committee, together with appendices. We were both disappointed to note that only one of our District Councillors was present; we might have hoped for more support from them for Buckingham's NDP.

Following MC's presentation, the Committee asked questions: what consultations had we had with Highways re the Draft Strategic Transport Plan (answer: none) and about what level of involvement we would want with the sports and amenity facilities (answer: total). We were also asked about our 20-year housing plan, and how we arrived at 617 houses (answer: it exceeds what is normally required, and 500 houses might have been proposed but we went for a higher figure). Interestingly, Bill Nicholson agreed that the 500 figure "would have been reasonable" at the time the BNDP was drawn up.

Mr Nicholson answered member's questions, stating that BNDP "no longer has full weight, as we've moved on and more houses are needed across the district, so we have to look at further sites in Buckingham and beyond to meet that need."

Susan Kitchen added that as AVDC had not yet been able to demonstrate a 5-year housing plan, then "full weight could not be given to any other NDPs, only significant weight. Not medium, not small, but significant weight".

Cllr Llew Monger suggested that the officers were being disingenuous, and that what she was saying was contrary to the National Planning Policy Framework, and pointed out that "where there was a conflict between new development and a Neighbourhood Development Plan, planning permission should not normally be given, something reiterated recently both by the Secretary of State and in the House of Lords".

Ms Kitchen's response to that was yes, where a made NDP was in place, planning permission should not normally be granted. "But this situation is not normal, because of the absence of the Aylesbury Vale Plan, and no harm in allowing this development has been shown." She added that housing numbers in the NDP only took into account the needs of Buckingham itself at the time the NDP was prepared, "and that things have moved on and that further work shows significantly more housing is now needed overall."

Cllr Carole Paternoster told the Committee that AVDC currently has only a 4.5 year housing supply, with 31,000 pencilled for the Aylesbury Vale district. "But Chilterns are looking at their figures again, considering what Green Belt they could lose and reviewing brownfield sites, so could take as many as 10,000. If they did that, we would have our 5-year plan by the end of this year, but we won't know until September."

The Committee also heard from Moreton Road resident Howard Osborne, objecting to the new development until adequate flood prevention measures had been put in place – he said that the heavy rain on March 8/9 had caused flooding to the current developments (Moreton Road Phases 1 & 2) and roads, paths and at least one property had been flooded, and that ditches had been filled with sewerage water. Mr Nicholson responded that mitigation conditions had been attached to the

previous developments, and would also be in place with the proposed development: "We believe that the new greenfield site drainage scheme conditions will deal with any risk of flooding."

Cllr Janet Blake suggested to the Highways representatives that the drainage problems were caused by lack of maintenance of the ditches, rather than the Moreton Rd 1 and 2 developments. There was also a question about where was the boundary between Buckingham and Maids Moreton, which was clarified to the committee. We noted that Planning was still using what they acknowledged was an out-of-date photograph and map, which didn't show either the development that has already been completed or that which is in the pipeline.

On behalf of Bucks Highways, Christine Urry said in response to Buckingham Town Council's objections that the Transport Strategy for Buckingham mitigation package was not only for this development, but for the whole neighbourhood plan. "Any such review would take into consideration that neighbourhood plan". Although she had indicated it was already set in stone, she agreed when asked, that consultations with Buckingham had not yet taken place, and that the proposed left-hand filter lane at the Stratford Road roundabout was only one part of the that strategy. I was asked if Buckingham Town Council's position was that any extra filter lane would make no difference to traffic congestion in the town, and replied yes, that it would do nothing to mitigate the problems at The Old Gaol Roundabout.

Cllr Janet Blake proposed that the application be Deferred and Delegated to the Secretary of State. The Vale Plan is out of date, therefore NDPs are out of date, she added. "We're not being asked to approve it, that's a matter for the Secretary of State. Her motion was carried 7-2, with no abstentions (Cllr Paternoster not voting).

#### **Cllrs Mark Cole & Jenny Bates**

##### **Presentation:**

##### **BUCKINGHAM TOWN COUNCIL OBJECTION (Speaker Cllr MARK COLE) TO: Application 14/02601 AOP, 130 homes at Moreton Road Phase 3**

Chairman, Councillors and Officers,

I addressed this committee last September about Buckingham Town Council's unanimous opposition to this development as being outside its Neighbourhood Plan, so I do not propose to repeat our objections.

But what I can now tell you is that two weeks after that meeting, the public Referendum on the Buckingham Neighbourhood Development Plan approved it by a 93.1% majority, so our plan is now made. We ask that this committee takes full consideration of that, and in particular its 20-year housing increase plan which far exceeds what such plans normally require.

Should, however, this committee be minded to follow its officers' recommendations to approve it, although it is outside the settlement boundary contrary to policy HP1 and a number of other BNDP policies, then BTC would insist that a number conditions must be included and observed (*Appendix 1*).

In addition, if the Town Council is being expected to take on the recreational areas, it must be included from this date in all discussions and planning for the amenity and pitch areas, so that the snags encountered at Lace Hill can be avoided before decisions are made. Again we would insist that a number of policies and conditions must be included and observed (*Appendix 2*).

We have noted that Bucks Highways will withdraw its previous objection to the development on town centre traffic congestion grounds if an additional left-turn lane is installed at the A422 Stratford Road roundabout onto the eastern by-pass. This, however, is only one of a number of proposals contained in what is still a Draft – and I would stress Draft - Strategic Transport Plan aimed at ameliorating the impact of all planned housing development in Buckingham. There is already a left-turn lane there taking traffic away from the town centre, and the addition of another would do nothing to alleviate through-traffic using the A413 North for Towcester, which takes trucks through the heart of the town. For those members who do not know Buckingham, it has no ring road, just eastern and southern by-passes.

The A413 also connects Buckingham with Maids Moreton, where there are no shops or doctor surgeries, but there is a current proposal for 170 new dwellings (and until recently another 400 on top of that) the traffic from which would not be utilising the postulated left-hand lane on the A422.

In closing, I would remind this committee that the Buckingham Neighbourhood Development Plan was prepared with the full approval of Aylesbury Vale District Council, which agreed with the phased 20-year housing increase which our NDP provides on sites which we designated. This provides for 617 new dwellings on sites where Buckingham wants them, with 35% of them affordable housing.

Once again I would underline the assurance given by your Cabinet member Cllr Paternoster to Buckingham Town Council on August 11 2015 that *"I can confirm that AVDC planning officers fully support Neighbourhood Plans, and that I support them 101%."*

Without such a plan, which took four years' work and £70,000 to draw up - Buckingham would have had no say in future housing applications, which would have allowed hundreds of new homes to be built in the wrong places at the wrong time, with few of the community benefits that these developments secure. This site was one of 14 originally considered, but its exclusion was largely due to public reaction, and it came second from last in preferred sites.

Buckingham has made provision for hundreds of new homes in the right places, including affordable housing content and the right housing mix, as agreed by its townspeople. If this committee is not prepared to accept this, then it renders all our policies pointless. We ask AVDC to acknowledge this, and to show its support to the electorate, to communities and to the whole neighbourhood planning process – not just in Buckingham, but throughout Aylesbury Vale - by refusing this application.

**Cllr MARK COLE**  
**April 27th 2016**

***Appendix 1: Housing and development conditions:***

- \* That a minimum of 35% (46 dwellings) be affordable housing provision*
- \* That it demonstrates a housing mix of both affordable and private housing, from 1-bed to 5+-bed dwellings*



*\* That it demonstrates sufficient infrastructure capacity for the number of dwellings, especially for foul and surface water disposal, and that any mitigation measures are required to be in place before connection*

*\* That it includes rainwater collection for grey-water use in the house and garden*

*\* That it protects and preserves existing trees; replacements for any necessary felling to be more than the number felled;*

*\* That there is compliance with BS42020 (Ecological standard)*

*\* That it provides evidence of a net gain in eco-diversity;*

*\* And that all pedestrian routes be suitably disabled-accessible and have seating installed*

**Appendix 2: Sports and playground conditions:**

*\* The pitches must be installed to Sport England standards*

*\* There must be adequate access to the pitch area for maintenance plant*

*\* There must be adequate parking and vehicle access, to avoid casual parking in the housing areas*

*\* The equipment, fencing and surfacing of the playgrounds must be agreed by the Town Council*

*\* And the paths must be of a surface suitable for wheelchair and pushchair use*

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

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**From:** Dales, Philip <PDales@aylesburyvaledc.gov.uk>  
**Sent:** 04 May 2016 16:15  
**To:** Office@buckingham-tc.gov.uk (office@buckingham-tc.gov.uk)  
**Subject:** display at 53/53 Nelson Street, Buckingham - ref 16/00106/CON3

Dear Katharine

The Town Council raised concerns about the panel that has been installed to the left hand side of the restaurant front. The approved scheme for the change of use of the premises to a mixed A1/A£ use and new shop front provided for the installation of a black board to the left hand side of the frontage. The black "metal" notice board with integral menu board that has been sited in it's place is not in my view materially different from that approved, it provides the same function and is not dissimilar in appearance.

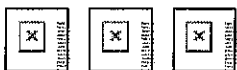
Concern was also raised that the installed restaurant front differed from that approved, whilst changes in detailing are noted, the end product is similar in appearance and appropriate to the host building and the street scene in general. As a consequence it would not be expedient to pursue the matter further.

With regards

Philip

Philip Dales  
Planning Enforcement Team Leader  
Tel 01296 585623

Aylesbury Vale District Council  
The Gateway, Gatehouse Road,  
Aylesbury, Bucks HP19 8FF  
DX 4130 Aylesbury 1  
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The views expressed within this message are those of the individual sender and not necessarily those of Aylesbury Vale District Council.

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

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**From:** Dales, Philip <PDales@aylesburyvaledc.gov.uk>  
**Sent:** 09 May 2016 17:07  
**To:** 'Office@buckingham-tc.gov.uk'  
**Subject:** RE: Question

Katharine

The approach that we are taking is not new, and is essentially based on the level of harm caused.

Firstly, some works or changes from approved plans are so minor or trivial that they are of no consequence and would not comprise development for planning purposes.

Secondly, in the case of some works or changes of use the conclusion is reached that they require permission, but that if sought it would be granted unconditionally. In these cases we will invite an application, but will close our case and not actively chase the submission of the application. The context is that we do not have legal powers to require the submission of an application per se, and government advice is that we should not take enforcement action solely to regularise a development, which is otherwise acceptable. Accordingly, in these cases it would not serve a useful purpose or a good use of our resources to actively chase the submission of an application. However, we know that in some of these cases the developer will seek to regularise the position either at the time or later when they seek to market the property concerned.

Thirdly, there are a group of cases where it is considered that the works or change of use require planning permission and there is a prospect of it being granted subject to amendments and /or the imposition of conditions. In these cases we will actively seek the submission of an application and if one is not received we will normally, take enforcement action.

Finally, there are those instances where it is considered that there is no prospect of permission being granted and we will seek the removal of the works or cessation of the use, and if needed take formal enforcement action.

The approach to breaches is therefore progressive and related to the harm caused. Where permission is required we will always invite the submission of an application, unless we consider that there is no prospect of permission being granted, in which case we will say so. However, we will only actively chase the submission of an application when it would serve a useful planning purpose.

I hope that I have explained the position but if your Council require any further explanation or comment please let me know.

Best wishes

Philip

Philip Dales  
Planning Enforcement Team Leader  
Tel 01296 585623

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Aylesbury, Bucks HP19 8FF  
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**From:** Office@buckingham-tc.gov.uk [mailto:office@buckingham-tc.gov.uk]  
**Sent:** 06 May 2016 16:49

Planning Issues & 'Material Planning Considerations'  
Guidance Note for Town & Parish Councils &  
Planning Committees – 2015  
October 2015



**Simon Williams**  
**Footprint Futures**

**2015**

# **MATERIAL PLANNING CONSIDERATIONS –**

Guidance Note for Elected Members on Planning Committees

## **GUIDANCE NOTE FOR MAKING REPRESENTATIONS ON PLANNING APPLICATIONS**

### **1 INTRODUCTION**

### **2 FACTORS THAT ARE MATERIAL PLANNING CONSIDERATIONS**

- Residential Amenity – Living Conditions
- Traffic and Parking Issues
- Noise, Vibration, Soundproofing, Contamination, Land Stability & Flood Risk
- Hours of Operation – Restrictions
- Design, Materials, Windows etc.
- Harm to the Environment

### **3 FACTORS WHICH ARE NOT MATERIAL PLANNING CONSIDERATIONS**

- Property Values
- Land Ownership
- Boundary Disputes
- Party Wall & Joining on
- Private Views
- 'There are Too Many Already'

### **4 FACTORS WHICH ARE USUALLY NOT MATERIAL CONSIDERATIONS BUT WHERE THERE MAY (ON OCCASIONS) BE EXCEPTIONS**

- Views
- Preferred Alternative Land Uses
- Personal Circumstances
- Economic Viability

### **5 PLANNING CONDITIONS AND LEGAL AGREEMENTS**

- Planning Conditions
- Legal Agreements
- Reasons for Refusal
- Planning Appeals, Costs and the High Court

### **6 CONCLUDING COMMENTS**

### **7 FURTHER INFORMATION**

# **MATERIAL PLANNING CONSIDERATIONS - GUIDANCE NOTE FOR MAKING REPRESENTATIONS ON PLANNING APPLICATIONS**

## **1 INTRODUCTION**

This note is intended to provide guidance to local authorities at all levels and also to those making representations on planning applications, on the question of what are "*material planning considerations*" and related matters.

It is important to appreciate that when the local planning authority makes decisions on planning applications, or considers representations submitted relating to planning applications, it must only take into account national and local planning policies and "**material planning considerations**". In order to help provide some guidance on what such material considerations are, the following notes have been prepared. They include reference to matters that are material considerations, as well as those which are not, and include items that are often referred to in letters of representation received by Planning Authorities.

The basic requirement of planning legislation is that planning applications should be considered in accordance with the Development Plan, i.e. the Local Plan or Development Framework, unless specific material considerations dictate otherwise. This stems from the Planning legislation and is re-emphasised in the **National Planning Policy Framework 2012** which replaced a plethora of previous government planning guidance; Planning Policy Documents and Statements.

There are no longer Structure or Regional Plans as there were some years ago and therefore, the National Framework guidance and relevant Local Plan or Core Strategy policies therefore carry significant weight when planning applications are considered and determined. **These policies should not be overridden without serious consideration and this should only happen in exceptional circumstances and when sound material planning reasons can be used to justify such a decision.**

In addition, the local planning authority has to have regard to the outcome of planning appeals which address similar issues to those under consideration, other government legislation, regulations, circulars and most importantly; Case Law, i.e. decisions on planning law which have been determined in the High Court, Court of Appeal or the Supreme Court.

## **2 FACTORS THAT ARE MATERIAL PLANNING CONSIDERATIONS**

### **Residential Amenity – Living Conditions**

This is a very broad based factor which can encompass many issues, but essentially involves the consideration of the impact of a proposed development on the quality of life of existing residential properties and their occupants, for example the potential for overlooking, impacts of noise and disturbance, whether the development might be overbearing due to mass and scale etc., all of which could affect the quality of life of existing and new residents. It has to be appreciated however, that it is almost inevitable, particularly in respect of residential development and extensions to existing residential properties, that such development will nearly always have some impact on adjoining owners and occupiers, but the 'test' the local planning authority has to apply is whether that impact is significant and so great as to warrant the refusal

of planning consent. Effects can be mitigated on some occasions by the use of planning conditions. For example; conditions are often imposed in respect of windows requiring obscure glass, so as to help to prevent or reduce the potential for overlooking from a new development into existing residential properties. The legitimate aspirations and desires of property owners to extend their property therefore has to be carefully balanced against the concerns that might be raised by adjoining owners or neighbours.

### **Traffic and Parking Issues**

These are legitimate considerations and are taken into account in very many planning applications considered. The impact of traffic generated by the proposed development is a material factor, as well as the provision or otherwise of parking on site. Consultations are undertaken with the **Highway Authority**, and they provide advice on all applications where highway safety, visibility and traffic or parking might be an issue. It should be noted that there was government guidance that there should be more of a relaxation on parking provision associated with new development, particularly in town centre or other urban locations, and/or where there are good bus services. However there is also evidence that this matter has been reviewed with a view to ensuring that adequate parking is provided with development, to meet the aspirations of new residents and requirements of house builders.

### **Noise, Vibration, Soundproofing, Contamination, Land Stability & Flood Risk**

These are all factors that are material considerations, and where relevant, they should be taken into account when assessing development proposals. They are also legitimate issues for those commenting on applications to refer to if appropriate in their representations.

Consultation is undertaken with the Local Authorities Environmental Health Units on applications where noise contamination and related issues may arise, and appropriate conditions can be imposed in order to ensure that restrictions are in place to minimise the impact of noise, vibration and to ensure the provision of soundproofing.

These matters are also dealt with at Building Control stage, when detailed plans showing the particular construction of a development have to be submitted to and approved by the Building Control Sections, although it should be noted that approval of Building Regulation plans is quite separate from those plans submitted for planning permission.

Advice on Land Stability is provided by the Council Engineers who also advise on flood risk together with the Environment Agency. Specialist reports on all of these matters are required to be submitted with planning applications when the issue is a material factor.

### **Hours of Operation – Restrictions**

This is a legitimate consideration and a restriction is often imposed on developments which might be acceptable in principle, but where they could become unacceptable if the hours of operation extended beyond a reasonable period; for example late into the evening. Conditions are therefore imposed in order to limit the hours of operation on some town centre activities, and such conditions are also used in respect of industrial units on some occasions so as to, for example, prevent/restrict working on a Saturday afternoon and on Sundays.

## **Design, Materials, Windows etc.**

These are very much material considerations, and are detailed factors that are given considerable attention when Full/Detailed Planning Applications are determined. The importance of good design is emphasised in the Council's Local Plan Policies and potentially Supplementary Guidance documents on Design and there is evidence that planning applications which are refused because of poor design are also being dismissed by Inspectors at planning appeals.

It should be noted that Outline Planning Applications are submitted to establish whether or not development on a particular site might be acceptable in principle only. An outline planning consent does not, in itself, grant consent for the development to actually take place; this has to be achieved through the submission of a further "Reserved Matters" Planning Application, when matters such as design are then considered. This is an alternative procedure to submitting a Full Planning Application at the outset, when these detailed matters would be included in the application.

The local planning authority applies conditions to very many planning applications which relate to design details, the use of particular materials; such as bricks, render, windows; all of which have to be agreed with the authority, before the new development proceeds.

## **Harm to the Natural & Historic Environment**

This would be particularly significant in cases where development might adversely affect a Site of Special Scientific Interest (SSSI), part of the Area of Outstanding Natural Beauty (AONB), or be damaging to a Listed Building or a Conservation Area.

## **3 FACTORS WHICH ARE NOT MATERIAL PLANNING CONSIDERATIONS**

### **Property Values**

Letters of representation received by the local planning authority often express the view that the letter writer objects to a particular development because it would affect the value of their property. This may or may not be the case, but is not a factor that the local planning authority should or can take into account when assessing whether or not a development is acceptable in land use planning terms.

### **Land Ownership**

Land ownership itself is not a consideration that the local planning authority takes into account when determining applications. Planning applicants are required to indicate on their application form, whether or not they are the owner of the land, and if not, they have to submit a notice to the landowner indicating that they have applied for permission on land which is not in their ownership. This usually arises where a development may be being proposed on land, but where the prospective developer does not wish to purchase the land until such time as a planning consent may have been granted. This arises particularly in town centre locations where there may be complex and multiple ownerships involved.



It should be noted that any person may apply for planning consent on land which is not in their ownership, although it is very unusual for this to be done without the knowledge and close cooperation of the owners themselves. There are notification procedures in place to address the circumstances where land ownership is unknown.

### **Boundary Disputes**

Linked into the question of land ownership, is that of boundaries between sites. Again, this is often an issue that arises in letters of representation on planning applications. It is not the role of the local planning authority to act as an arbiter between adjacent landowners on the question of boundary disputes. Local Planning Authorities do not undertake any checks of land ownership when planning applications are submitted. They rely upon the information submitted by the planning applicant as being correct and accurate, with other owners of land within the application boundary, being identified and notified where necessary by the applicant.

When plans are submitted for planning consent, the actual site where development is proposed is edged in red on the plan, whilst any adjoining land owned by the applicant should be shown in blue. In some cases neighbours and others dispute the accuracy of these red or blue lines, but these are matters that need to be taken up privately between the various parties, if necessary using legal or surveying representatives.

### **Party Wall & Joining on**

Where there are concerns about development which might affect adjoining neighbour's property in some way, for example where there may be some impact on a neighbour's foundations etc., these are matters dealt with under the Party Wall Act and not through planning legislation. Information about this is usually available from the local planning authority. Other issues such as the need for a developer to access a neighbour's property in order to construct the proposed building, are covered by the Access to Neighbouring Land Act 1992.

It is also perfectly acceptable for a planning applicant to apply to "join on" to an existing property; for example to add an additional house to the end of an existing terrace or an extension to a neighbouring dwelling. The local planning authority considers this application in the context of land use planning matters, planning policy and other material considerations referred to in this report. Whether or not the applicant has the agreement of the existing property owner they wish to join onto, is a private matter between the 2 parties. If no agreement can be reached, then the development cannot be implemented. This does not mean that in principle, planning consent should not be granted if planning policies and other material considerations do not preclude it. The Party Wall Act comes into play in such situations.

### **Private Views**

The impact of a new development on private views from a neighbour's property is a very common issue raised in representations on planning applications. It is important to appreciate that the effect of a development on such a private view is not a material planning consideration. When purchasing a house, residents may well pay for a view ...but they do not buy it!. This applies to whether the view is obtained from residential or commercial properties, whether in

private ownership or used by the public. Although not the same as a view, the undue blocking of sunlight or extreme overshadowing to a property can be a material consideration.

### ***'There are Too Many Already'***

This comment is often received when applications are submitted for uses/development such as additional cafes, takeaways or betting offices in the town centre area or elsewhere. The fact that the area may already be served by the proposed service or use which is envisaged in a new application, is not, in itself, a reason for refusing permission, unless there are particular policies applying, such as Town Centre Shopping areas or for example, when an out of town retail proposal might totally undermine the viability and vitality of a town centre as a whole. However, other factors, such as the cumulative impact of noise, disturbance etc., could be material planning considerations which will be taken into account, but the fact that there is another operation or retail outlet of a similar nature nearby is not in itself, a material factor. Potential competition between individual businesses and the financial impact on existing businesses, is therefore not a material planning consideration.

### **4 FACTORS WHICH ARE USUALLY NOT MATERIAL CONSIDERATIONS BUT WHERE THERE MAY (ON OCCASIONS) BE EXCEPTIONS**

These notes are intended for guidance, and cannot be absolutely prescriptive. There are some issues which are usually not material planning considerations, but where there can be some exceptions and guidance on some of these is set out below.

#### **Public Views**

Although views from private properties are not a material consideration, an exception where views may be a material consideration can be in relation to wider public views from the public realm. If, for example, an office block or a block of flats were proposed to be built in a prominent location, which directly affected the public vista and view of an important building; say a cathedral or other prominent public building, then this can be a material consideration, as it would affect the public realm rather than private/personal views.

#### **Preferred Alternative Land Uses**

The consideration of some alternative land use or development which might be considered preferable on a site where there is a planning application, is not normally a material consideration. The local planning authority has a duty to consider the application that has been submitted, and not some other form of development or application which the local planning authority, neighbours or the public might consider preferable.

The same consideration should apply to those making representations on applications. However, taking account of the importance of the Development Plan, an exception to this principle is the situation where a site is specifically allocated, or covered by a specific policy in the Local Plan for a particular use – housing, employment etc. In such cases, if an application were to be submitted which conflicted with that allocation or policy, then that would be a material consideration which could legitimately be taken into account when determining the application and indeed should be given considerable weight.

## **Personal Circumstances**

Again this is a factor that is often highlighted by applicants when submitting some applications, when they make reference to personal domestic circumstances which, in their view justifies why a particular development or form of development should be approved. This is not normally a factor which is taken into consideration by the local planning authority as, although the applicant applies for permission in person, any consent granted applies to the land and property itself, and passes with the property, should it be sold. The local planning authority therefore has to have regard to this wider and longer term consideration, rather than any personal factors or characteristics that might apply to the particular applicant, at any one point in time.

There may, however, be some exceptions to this general rule; for example where an application might involve a particular form of development to specifically accommodate the needs of a person with disabilities. In such circumstances the advice of Social Services is taken to establish whether special circumstances apply which might influence the local planning authority's views and justify an exceptional decision.

Other situations where personal circumstances might come into force are situations where, for example, an application might involve some form of small scale industrial workshop use in an area where such an activity might not normally be considered appropriate due to the potential for noise, disturbance etc. If however, the activity was particularly small scale and unobtrusive, the Council would consider conditioning any permission to that individual person. (This means that if another person wished to carry out the same activity on the site, then a new planning application would be required). In such circumstances, the consent might also be of a temporary nature, in order to allow a trial period, to establish whether there were in fact any detrimental impacts on local amenity.

## **Economic Viability**

This is not usually a consideration but where public and or regeneration benefits are being achieved as a result of the development, it can on occasions be considered as being material; something that the High Court has deliberated upon in the past. In such situations details of the costings associated with a scheme and viability assessments have to be submitted for independent scrutiny, so that the Local Planning Authority can be satisfied that a case is justified. This has for example been used in cases where exceptional costs have resulted in some affordable housing being off rather than on site or in major city centre redevelopments, where costs are exceptionally high and viability doubtful. More recently, following government statements on the issue, some developers have appealed against what they consider to be onerous requirements in an historic 106 agreement for affordable housing, claiming that this makes the scheme unviable. These attempts have met with mixed outcomes. More recently the government has indicated that developers will not need to provide social housing for rent through 106 agreements as part of their development schemes, but will be expected to offer a proportion of dwellings for sale at below full market value. The implications of this has yet to be seen.

## 5 PLANNING CONDITIONS AND LEGAL AGREEMENTS

### Planning Conditions

In addition to the importance of planning decisions being based on material planning considerations, it is important to appreciate that Planning Conditions which are attached to planning consents also have to be rigorously assessed before being imposed. The current National Planning Policy Framework reiterated previous guidance in Government Planning circular 11/95; *'The Use of Planning Conditions in Planning Permission'* which emphasised that Planning Conditions should be:

1. **Necessary**
2. **Relevant to Planning**
3. **Relevant to the Development to be Permitted**
4. **Enforceable**
5. **Precise &**
6. **Reasonable in all other aspects**

All planning conditions should be cross referenced to relevant National [NPPF], and/or Local Plan Policies which support the reasons for the conditions.

### Legal Agreements & Community Infrastructure Levy

Section 106 of the Town and Country Planning Act 1990 enables local planning authorities to enter into legal agreements, or to accept unilateral obligations from planning applicants which set out in a legally binding manner, the requirements of a local planning authority to address the issues associated with a planning application, and which cannot be dealt with by way of planning conditions. This applies particularly to major applications and often to those accompanied by an Environmental Statement.

Although many requirements relating to proposed development are dealt with by planning conditions – design materials, access etc., in situations where for example, affordable housing is required, or financial contributions towards off-site highway contributions which are outside the planning application site are needed, these can be dealt with by way of legal agreements. Section 106 is the section in the Planning Act under which such agreements are permitted to be entered into. Section 106 also allows for developers to submit *'Unilateral Obligations'* which are essentially a one sided commitment, but submitted to the planning authority together with a planning application, again setting out obligations that will be undertaken by the developer/applicant.

Whilst planning conditions have to meet the tests highlighted above, matters in a Section 106 agreement can extend beyond these restrictive requirements, but should still address matters which, if not included, would lead to a refusal of planning consent. The agreement may require that:

- Specific works be done,

- Certain restrictions on development come into force when the development starts, e.g. phasing of development
- Financial contributions are made towards local infrastructure and community benefits etc., although this is planned to be overtaken by the **Community Infrastructure Levy**. This is gradually being introduced by Local Planning Authorities so that there is a standard payment required to support local facilities by most and especially larger, planning applications, with a gradation of charges, depending upon the nature and scale of the proposed development.

Following the Planning Committee meeting where an application may be ...*'delegated for approval subject to a 106 agreement'*, a legal agreement is then prepared in consultation with the Council's Legal Section and applicants solicitors. This can be a very protracted process as negotiations take place. However, once completed and signed, the 106 agreement is then a binding document, and the planning consent itself is then issued. The 106 agreement is tied to the land itself, and is a 'charge' on the land, so that the requirements of such an agreement pass to future owners or occupiers in the event of the land being sold.

In March 2015, the government issued a consultation document on 106 Agreement procedures in view of widespread concerns about the time it takes to finalise such 106 agreements. One of the recommendations is that, rather than simply submitting 'Heads of terms' for the agreement with the planning application, much more work should be undertaken on the agreement at Pre-Application stage. This will help ensure that all parties have a much firmer understanding of what is to be included in the agreement in detail in advance and this approach would also provide for greater openness and transparency for the public.

### **Reasons for Refusal**

Like Planning Conditions, Reasons for Refusal of a Planning Application (quite reasonably and properly) also have to be based on sound and material planning considerations, which can be supported by National [NPPF], and/or Core Strategy/Local Plan Policies which have to be specifically referred to in the Reasons for Refusal.

### **Planning Appeals, Costs and the High Court**

It is important to appreciate that refusals of planning applications can be subject to Planning Appeals which are heard on behalf of the Secretary of State by an appointed, independent Planning Inspector. Appeals can be considered by way of either:

- Written Representations,
- A Local Hearing
- A Full Public Inquiry.

At a Planning Appeal, the appellants can apply for 'costs' against the Local Planning Authority if they consider that the reasons for refusal are not reasonable and/or cannot be substantiated by firm evidence. This becomes critical when the reasons for refusal are tested through the Full Public Inquiry process; a situation which can be most exacting when the planning witness (usually a Planning Officer), is subject to Cross Examination by a barrister. It is important therefore that when applications are refused, Elected Members are satisfied that there is sufficient **evidence** available to substantiate the decision.

Planning Applicants or any other third party can also apply to the High Court on a **point of law**, with a view to the decision being quashed, if they consider that an application has not been considered properly on the basis of planning considerations, that proper procedures have not been followed or if they consider that the Local Planning Authority has not acted reasonably.

If such an application were to be successful, the Local Planning Authority would probably have to pay all the legal and other costs associated with the application to the High Court. Decisions made by the High Court on Planning matters provide '*Case Law*' which helps guide future decisions by Planning Authorities and by Planning Inspectors at Planning Appeals. Such Case Law is also a Material Consideration which Planning Authorities should have regard to when making decisions. There is currently in the UK, no '*Third Party Right of Appeal*'. This means that no-one, other than the applicant, can submit an appeal in relation to a planning decision.

These factors therefore help emphasise the importance of all planning decisions being based on '*material planning considerations*' only.

## 6 CONCLUDING COMMENTS

The list of issues and factors highlighted above in this guidance note is not intended to be exhaustive, but does hopefully provide some additional assistance to the both Council Officers and Elected Members/Councillors at all levels, as well as to members of the public, in helping to understand the way in which planning decisions should be made, and the limitations and restrictions within which local planning authorities have to operate.

## 7 FURTHER INFORMATION

General advice on the planning system is available from the '*Planning Portal*', which is a national web based information system which can be accessed direct on: [www.planningportal.gov.uk](http://www.planningportal.gov.uk) The **Planning Practice Guidance which is highlighted on the Planning Portal home page** provides a comprehensive summary of all aspects of planning in an easy to read manner

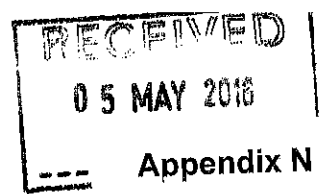
This note has been prepared by Simon Williams and has been updated to reflect recent changes to the planning system, although it needs to be appreciate that changes in planning legislation are being brought forward on a regular a basis.

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**October 2015**



## English Regional Transport Reform (ERTR) Consultancy

• Campaigns • Clerical • Promotions • Manning Stalls • Leafleting Services

24c St Michael's Road, Bedford, MK402LT

T. 01234 330090 / E. [transport.reform@outlook.com](mailto:transport.reform@outlook.com)

~Promoting better rail links and services across the regions and a coherent structure~

Dear *Clerk & Council*

Date: *30/04/16*

Any reference to a map will show North of Luton, East of Oxford, South of Leicester and West of Cambridge that apart from three north-south main lines, cross-country links informing a proper 'rail net-work' are scant and hardly exist. Central to that map is the small county of Bedfordshire.

I have spent over 25 years of adult life in the voluntary sector for a variety of reasons campaigning for reopening of local rail links and select stations, many of which are now coming to fruition, despite many being cynical in the beginning. I feel that an officership needs to be created to focus on specific new and existing projects and hasten them. It has long been noticed that costs outstrip what small voluntary organisations can muster and the change of culture and climate means a work focused approach is far more relevant.

To these ends I am seeking sponsors, funders and benefactors to help me do some of the work as a part time job. This could include putting business cases together, route protection endeavours, attending key meetings, conferences and events, as well as producing literature promoting ideas, specific rail reopenings and advocating for a rail plan more in accordance to strategic need in a context of growth. Obviously the ideal may be to have an office and P.A. but in the short term solo working from home is an envisaged and utilising coffee shops for meetings, of which Bedford has plenty.

If you are at all interested in knowing more, or becoming a donor, sponsor or benefactor, please let me know. Everything is accounted for in an annual tax return under auspices of self employment for accountability. Although educated to degree level, I hope to undertake courses to enhance what I can do on a consultancy basis, helping deploy my experience to helping others with their projects, being a human resource and advancing projects I hold dear like Bedford-Northampton, stations and links, area and improvements on existing lines as well as better coordinated and new bus links.

I welcome to hear from you. A CV and references can be provided for serious investors.

Yours sincerely,

Richard Pill

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~Promoting better rail links and services across the regions and a coherent structure~

News-sheet No. 5

May 2016

Price 90p where sold

## Getting Underway

Finally the consultancy has been launched offering basic services to paying clients. These services include things like leafleting, manning stalls, exhibitions and such like. The second goal of the consultancy is to court paid subscribers to the news-sheet and grow our network of customers hiring our services. Although small and a one-man-band, it is hoped that as we grow other staff or services may be hired. Bureaucracy tends to make employing people harder with PAYE and other complicated administrative ditties to undertake before a days work is achieved! But getting the feet under the table, another flank is the courting of more paid office work elsewhere, courting sponsorship for the Bedford-Northampton promotion and other projects as clients court and pay for our services.

I have a wealth of experience in my 30 years campaigning work and whilst in the 1980's campaigning was an accepted term, these days we tend to talk of 'promoting'. This is something I am well disposed to do and welcome to find other partners in so doing as we make progress 'together'. It is funny how people say the most awful things like "unemployed are unemployable, they are unemployable because they are unemployed" or "so-an-so is always in-between jobs"! Seems like a catch 22 and in a postcode lottery of dearth of jobs relative to competition, creating work and sharing seem to be the two challenges which could put a human face and help turn pinch points around, rather than reinforcing lock-in stereotypes which serves no one but the gossips who must have plenty of time on their hands or an agenda which looks down on others! Reality is that many clerical jobs have been moved on with shrinkage, reorganisation and the march of technology rendering fewer offices, less staff demand and over supply.

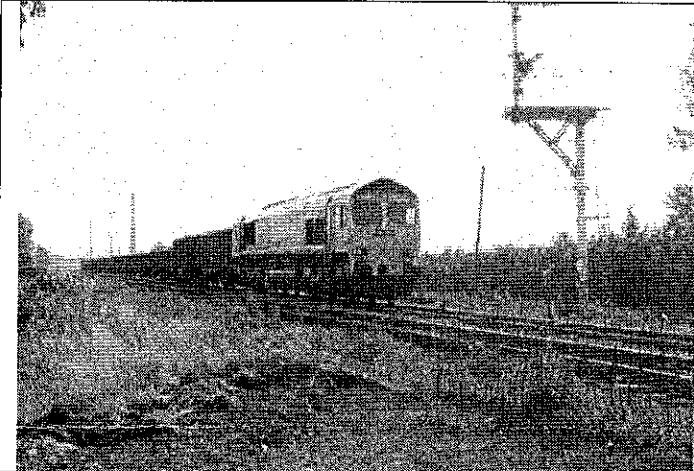
**Caption below:** This elegant picture was donated by an anonymous lady at a model railway exhibition in the 1990's. It is believed to be the Bedford-Northampton line near Yardley! Can anyone tell me more?





<p><b>Leafleting Services:</b> Prefer small to medium delivery jobs. Charge £10 per hour for time but am reliable and ensure delivery is done. I have an eye for presentation and if you want a second opinion please do ask.</p>	<p><b>Manning Stalls:</b> I can man stalls at displays, exhibitions or in a market style situation. From customer service, extra pair of hands setting up/taking down, giving out informational orally or information flyers, a reliable asset awaits your call.</p>
<p><b>Basic Research:</b> Have you ever wanted some information finding but lacked the time? On-line searches, library fact finding or other research, I am a reliable pair of hands to find and come up with results and add a time saving asset to your work. Life is rarely a straight line and by employing me, you get what you want with someone able to discuss ideas and come up with others as and where wanted.</p>	<p><b>Promotions:</b> Do want something promoted? Whatever it is, whether interacting with the public, carrying out questionnaires, helping to represent your interest at an event, raise questions, write to local papers or produce a flyer or poster, my services can assist and put two heads together for the strengthening of an endeavour.</p>

**Food for thought:**  
The Forder's Sidings sits on the Marston Vale Railway between Bedford and Bletchley and is currently mothballed. Across the way is a college focusing on environmental studies and behind the sidings is a methane plant tapping waste methane from former land fill of old quarry pit to be tapped into a wider network and sold as energy. It would be good to see the college science earthed by a rail based operation of some kind bringing in on a regional basis a something, it being turned around, processed or made into something and shipped out by rail. Recycling is one idea: glass, cars, fridges, scrap metals and plastics for example. Zero waste products sent by rail, is another growing idea whose time may have come, whereby we lessen the deployment of fossil fuels and quarried materials and use what we have to make the things we need, saving the earth's natural resources and landscape from further ruination.



**Picture of a empty train leaving for Forders Sidings circa 2002** just before running down and latterly closed. These sidings with gantry to boot, could and should be being deployed for a rail based operational something, than just sitting there awaiting possible scrapping, selling off or loss to rail. Situated off the former Bedford-M1 A421 trunk corridor, it has good road and rail links for a hub and operation of some kind with rail taking a part. What would it take for Government claims to support the movement from road to rail to translate to a coming together for this project?

Please fill in form and tear off and send \_\_\_\_\_

I/We wish to apply to become an ERTR Subscriber at £10 per year, £5 Concessions\*  
\*Students, Disabled, Anyone on Benefits or a Pension.

Name: \_\_\_\_\_ Address: \_\_\_\_\_ Postcode: \_\_\_\_\_

Tel/Mobile: \_\_\_\_\_ Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

Please send completed form to Mr Richard Pill, Owner of ERTR,  
24c St Michael's Road, Bedford, MK402LT T. 01234 330090

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