



# Buckingham Town Council

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01280 816426

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Town Clerk: Claire Molyneux

PLANNING  
COMMITTEE

Wednesday, 16 August 2023

Councillors,

You are summoned to a meeting of the Planning Committee of Buckingham Town Council to be held on Monday 21<sup>st</sup> August 2023 at 7pm in the Council Chamber, Cornwalls Meadow, Buckingham, MK18 1RP.

Please note that the meeting will be preceded by a Public Session in accordance with Standing Orders 3.e and 3.f, which will last for a maximum of 15 minutes. Members of the public can attend the meeting in person. If you would like to address the meeting virtually, please email [committeeclerk@buckingham-tc.gov.uk](mailto:committeeclerk@buckingham-tc.gov.uk) or call 01280 816426 for details.

The meeting can be watched live on the Town Council's YouTube channel here:

<https://www.youtube.com/channel/UC89BUTwVpjAOEIdSlfcZC9Q/>

Claire Molyneux  
Town Clerk

## AGENDA

### 1. Apologies for absence

Members are asked to receive apologies for absence.

### 2. Declarations of interest

To receive declarations of any personal or prejudicial interest under consideration on this agenda in accordance with the Localism Act 2011 Sections 26-34 & Schedule 4.

### 3. Minutes

To agree the minutes of the Planning Committee Meeting held on 19<sup>th</sup> June 2023 and to be put before Full Council on 11<sup>th</sup> September 2023. [Copy previously circulated](#)

### 4. Buckinghamshire Council Members

To discuss a method of including the Town Council in s106 discussions at an early stage, and how this may be continued when CIL is introduced.

### 5. Buckingham Neighbourhood Plan/Vale of Aylesbury Plan/Buckinghamshire Local Plan

To receive any update.



Twinned with Mouvaux, France;

Neurkirchen-Vluyn, Germany



Members are reminded when making decisions that the Public Sector Equality Duty 2010 requires Members to have due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act, advance equality of opportunity between people who share a characteristic and those who don't, and to foster good relations between people who share a characteristic and those who don't. All Committee documents can be found on the Buckingham Town Council's website. Alternatively, the Clerk can send you a copy of any minutes, reports, or other information. To do this, send a request using the contact details set out above.

## 6. North Bucks Parishes Planning Consortium

To receive a verbal report from Cllr. Ralph on the meeting between Buckinghamshire Council and the NBPPC held on 9<sup>th</sup> August at the Gateway in Aylesbury. The position paper presented at that meeting is attached. [Appendix A](#)

## 7. Action reports

To receive action reports as per the attached list. [Appendix B](#)

## 8. Planning applications

For Member's information the next scheduled Buckinghamshire Council – North Buckinghamshire Planning Area Committee meetings are on Wednesdays 23<sup>rd</sup> August and 27<sup>th</sup> September 2023 at 2.30pm. Strategic Sites Committee meetings are on Thursdays 31<sup>st</sup> August and 28<sup>th</sup> September 2023 at 2pm.

Additional information provided by the Clerk. [PL/49/23](#)

To consider a response to planning applications received from Buckinghamshire Council and whether to request a call-in.

1. 23/02026/APP University of Buckingham Chandos Road Building car park  
Construction and operation of a micro energy storage facility and associated works.  
*Fairman [AMP Clean Energy]*
2. 23/02120/APP Stoneleigh House Boutique Hotel Ltd, 17 Castle Street, MK18 1BP  
Change of use from boutique hotel to private residence.  
*Lawrence*
3. 23/02154/AAD 11 Market Square, MK18 1NW  
Display of 1 x non illuminated fascia, 1 double sided externally illuminated projecting sign and digitally printed vinyl to glazing.  
*Scott [Specsavers]*
4. 23/02178/APP 5 Burleigh Court, Burleigh Piece MK18 7HZ  
Householder application for single storey rear extension.  
*Balasubramaniam*
5. 23/02183/APP 20 Twickenham Road, MK18 1ED  
Householder application for installation of 5N<sup>o</sup> internal air-conditioning and 1N<sup>o</sup> external condenser unit (retrospective).  
*Lawrence*
6. 23/02204/APP Brethren Meeting Hall, Mallard Drive, MK18 1GJ  
Single storey side extension (retrospective) and proposed toilet with septic tank.  
*Douglas [Brackley Fox Lane Gospel Hall Trust]*
7. 23/02212/VRC Oddfellows Hall, 48 Well Street, MK18 1EP  
*Revised description:* Submission of details to enable the removal of Condition 11 attached to 21/00479/APP (Variation to condition 2 (repositioning of rooflights as approved drawing) relating to application 19/03398/APP - conversion of former meeting place (Class D1) to form 9 no. student apartments (Class C3) with associated communal facilities).  
*Original description:* Removal of Conditions 11 & 12 attached the planning permission 19/03398/APP: Conversion of former meeting

place (Class D1) to form 9 No student apartments (Class C3) with associated communal facilities.

*Teff*

*See explanation in Clerk's report.*

8. 23/02267/APP Best Western Hotel, Ring Road South, MK18 1RY  
Temporary change of use from a hotel to catered student accommodation together with conferencing and events space for the University of Buckingham and reconfigured parking area.  
*Sheridan [Delta Planning for University of Buckingham]*
9. 23/02320/APP The Chalet, Stowe Avenue, MK18 1HX  
Householder application for rear porch entrance. First floor rear dormer and alterations to existing first floor dormer windows  
*Clements*
10. 23/02381/APP 5 Hazley Walk, MK18 7BL  
Householder application for single storey rear extension.  
*Ralph*
11. 23/02391/VRC 2 White House Cottages, Bletchley Road, MK18 7DT  
Variation of Condition 2 (plans) relating 23/00364/ALB (Listed building to replace 4 UPVC windows with traditional wood frame slimline double glazed units.  
*Scott*
12. 23/02456/APP 31 Highlands Road, MK18 1PN  
Householder application for replacement front boundary wall (retrospective).  
*Sanders*

#### Amended Plans

13. 19/00902/ADP Land adj. 73 Moreton Road  
Approval of Reserved Matters pursuant to outline permission 15/04106/AOP for appearance , landscaping, layout, and scale of a residential development of 12 dwellings.  
*M A Healy Ltd*

#### Not for consultation (circulated separately due to time constraints)

14. 23/02260/ATC St. Bernardine's Church, Chandos Road  
T1 Lime: reduce back to previous reduction point of 2018.  
*Grant*

#### 9. Planning decisions

9.1 To receive for information details of planning decisions made by Buckinghamshire Council.

#### Approved

Application	Site address	Proposal	BTC response
22/04198/APP	Former Little Chef	Refurb existing restaurant, add drive-thru facility and assoc works	No Objections (with provisos)
23/00946/ALB	55 Well Street	Removal of cupboards/reinstate walls	No objections
23/00964/ALB	55 Well Street	Construction of flood barrier	No objections
23/01240/APP	Brae Cottage 71 Moreton Road	Part 1 <sup>st</sup> , part 2-storey extension and garage conversion	No objections

23/00698/AAD 23/01359/ALB	4 West Street	[Externally] Illuminated fascia sign, projecting sign and menu board	Oppose <sup>1</sup>
23/01599/APP	14 Sandhurst Drive	Replace conservatory. New roof on porch+2-st side & rear extn,s/s extn	No objections
23/01825/APP	43 Treefields	Rear conservatory	Oppose <sup>2</sup>

<sup>1</sup> Unconsulted late amendments confirmed the colour, size, placement, non-illumination of the projecting sign and use of the existing wrought-iron bracket, as requested.

<sup>2</sup> Because it left too narrow a gap between it and each side fence to allow weed clearance and fence maintenance. Officer Comment: The proposal is to be erected entirely within the curtilage of the application site. Furthermore, it is single storey and of an appropriate size and design and would not warrant refusal on grounds of inadequate set in from the site boundary.

### Refused

Application	Site address	Proposal	BTC response
23/01280/APP	31 Highlands Rd	Raise roof and insert new first floor; replace conservatory with 1½ storey rear extension and alter windows	No objections

### Not for consultation

### Approved

Application	Site address	Proposal	BTC response
23/01824/AEL	Land east of Manor Farm	40m overhead line for solar farm	No objections
23/01853/ATP	4 Carisbrooke Ct.	T3 Oak – Install root barrier within RPA to mitigate influence of roots on building (Tree is in M.Moreton Ave)	No objections
23/01886/ATP	1 Bostock Court	Reduction/pollarding to Common Beech, Copper Beech, 2 x Silver Willow, 5 x Field maple and 2 x Grey Alder to reduce nuisance to neighbour	No objections

### Refused

Application	Site address	Proposal	BTC response
23/01858/CPL	18 Penda Road	Garage conversion (home office / gym)	Oppose

## 9.2 Planning Appeals

### 9.2.1 **21/01263/APP & 22/00078/ENFNOT:** 28 Border Lane, MK18 1SE

Appeal against an Enforcement Notice issued after the application for “Retention of fencing and change of use of land” was refused and the *status quo ante* not reinstated.

Planning Inspector has allowed the appeal, despite the timber fence being 2.5m high and replacing 1.5m high metal parkland fencing because the EN combined the change of fence with the allegation of enclosing public land (change of use from public to residential) and the drawings not being clear on the approved fence line. If they had been listed as separate breaches, he could have made separate decisions.

### 9.2.2 **22/02988/APP** Land at Foundry Drive

An appeal against refusal has been lodged, start date 14<sup>th</sup> August. It will be dealt with by Written representation. If Members wish to add anything to their response (see Addendum to Clerk’s Report) it must be submitted by Monday 18<sup>th</sup> September.

## 10. Consultation – Permitted Development Rights

To discuss and agree any response to the [DLUH&C consultation](#).

### 11. Buckinghamshire Council matters

11.1 To receive news of Buckinghamshire Council new documents and other information from Buckinghamshire Council Members present.

11.1.1 Response to Cllr Stuchbury's Written Question on Lace Hill s106 Public Transport contribution. [Appendix C](#)

11.2 BMKALC Quarterly meeting for Town & Parish Councils

11.2.1 To receive for information and discussion [the slides and Q&A](#) from the 18<sup>th</sup> July Town & Parish Council Planning & Environment update

11.2.2 To note that notification of this meeting was received on Friday 14<sup>th</sup> July with registration and written questions required by Monday 17<sup>th</sup> July, and discuss and agree whether to make a formal complaint and to whom.

### 12. Updates from representatives on outside bodies

To receive verbal updates from Councillors.

### 13. Buckinghamshire Council Committee meetings

13.1 N. Bucks Area Planning Committee ( 26<sup>th</sup> July 2023) *Cancelled*  
 (23<sup>rd</sup> August 2023) *Cancelled*

13.2 Strategic Sites Committee ( 3<sup>rd</sup> August 2023) *Cancelled*

The next Select Committees are scheduled for:

13.3 Growth, Infrastructure and Housing Select Committee - 21<sup>st</sup> September 2023

13.4 Transport, Environment & Climate Change Select Committee - 14<sup>th</sup> September 2023

### 14. Enforcement

14.1 To report any new breaches.

14.2 To receive information on the issuing of an Enforcement Notice:  
 14 Church Street, MK18 1BY; "Without listed building consent, the unauthorised installation of plasterboard internal stud walls and ceilings and accompanying insulation throughout." The owner is required to "Permanently remove all unauthorised internal plasterboard stud walls and ceilings and accompanying insulation" within 4 months of 1<sup>st</sup> September 2023. (The Notice is dated 24<sup>th</sup> July 2023 allowing 5 weeks for an appeal to be made.)

### 15. Rolling lists – updates

15.1 Tree felling applications *information only, no change from last meeting* [Appendix D](#)

15.2 Land grab reports *information only, no change from last meeting* [Appendix E](#)

15.3 Call-in requests *updated* [Appendix F](#)

15.4 HMO Licences *for information only, no change from last meeting*

[Appendix G](#)

### 16. Matters to report

Members to report any damaged, superfluous, and redundant signage in the town, access issues or any other urgent matter.

### 17. Chair's items for information

18. Date of the next meeting: Monday 18<sup>th</sup> September 2023 at 7pm

### To Planning Committee:

Cllr. M. Cole JP Chairman  
 Cllr. F. Davies  
 Cllr. J. Harvey  
 Cllr. S. Hetherington  
 Cllr. A. Mahi  
 Cllr. L. O'Donoghue

Cllr. A. Ralph Vice Chairman  
 Cllr. A. Schaefer Town Mayor  
 Cllr. R. Stuchbury  
 Cllr. M. Try  
 Cllr. R. Willett  
 Mrs. C. Cumming Co-opted member

## **NBPPC Key Points for Steve Bambrick and Cllr Peter Strachan**

Our concerns relate mainly to larger developments rather than individual applications although some of these may also be very contentious and determining them would also benefit from the points raised by us.

We start from an assumption that all levels of local government in Buckinghamshire aim to support to the best of their ability the interests of current and future residents and also to ensure that processes are transparent and that outcomes optimise equity across all groups. Yet NBPPC members often feel ignored and excluded from the planning process and our residents feel their legitimate interests and concerns are largely ignored regardless of how eloquently and accurately these may have been expressed. This leads to feelings of complete disempowerment and that the planning system is as oblivious of their lives and livelihoods.

NBPPC members feel that closer engagement with planning officers from an early stage would help both parties by increasing transparency and improving understanding of pressures and obligations each party faces and has to deal with. There is a significant amount of local knowledge which could be exploited by Planning to provide fine grained information relating to proposals of all sizes, were Town and Parish members to be invited to work more closely and cooperatively in the early stages of considering plans and applications. This is not done effectively at present.

We feel that a good starting point would be for planning officers make a visit to the site and engage with the Local Council at an early stage. This would give them a better understanding of local issues and also of the detailed local knowledge and information that Local Councils hold but may not be easily available to a planning officer, especially if they are not familiar with the location. Such an early meeting would also help establish a closer working relationship and basis for communication that is currently lacking but is essential for reducing the current levels of disagreement. It would also make the work of the planning officer less time-consuming.

It is acknowledged that larger developers have deep pockets, are litigious and that BC has to avoid being taken to court for errors of process. The reverse of this point is that large developers equally have no excuse for submitting low quality and inaccurate documentation, of which far too much seems to be accepted. Here again, the local knowledge that Town and Parish Councils hold could be very helpful to planning officers who wish to question accuracy.

Planning Committee members, and particularly those on SSC, may not have much local knowledge about the sites they discuss. It should be a requirement that Planning Committee members meet with Local Council representatives when making site visits so that errors of fact can be corrected and they are made aware of site-specific issues. Engaging with Local Parish and Town Councillors to check facts and be made aware of important local issues does not make Committee members pre-determined, it is doing their job properly.

Transparency is not being well-served by the current way in which Planning Committees operate. BC should delegate fewer planning applications and hold more Area Planning Committees, giving local councillors and members of the public more opportunity to speak on more contentious applications. Both this and the Strategic Sites Committee should be clearly member-led, not officer-led. The costs of holding committee meetings should not be a reason not to hold them. Greater engagement early on in the process would lead to there being fewer points of contention by the time an application reaches a Committee. The current time restrictions for local councillors and members of the public to speak at a Committee are so restrictive that they fuel great discontent and undermine the perceived probity of the decision making.

Resistance to new developments often stems from a lack of infrastructure and services within plans, including roads, public transport, primary medical care, schools, etc. This only exacerbates the previous lack of these elements in earlier developments so that the additional burden falls ever more

heavily on the existing services. We are aware of the CIL/S106 changes but ensuring developers make adequate contributions to support new developments is essential to gaining public acceptance.

There are concerns that Neighbourhood Plans, local Design and Vision Codes and similar material reflecting the views and interests of local communities are not always taken into account adequately when determining planning applications and this does not help local acceptance of the decisions made.

There tends to be a flurry of information on larger planning applications submitted shortly before major holiday periods such as Christmas, Easter and August. While this raises public suspicion it seems more likely that it is linked to developers' personnel going on holiday at these times. There is, however, no legal impediment to BC extending the time frame for comments to at least six weeks when new applications or material changes are submitted by applicants at these times when people who should be commenting are also likely to be away on holiday.

NBPPC is willing to organise and pay for a discussion meeting (Chatham House Rules) with a facilitator to discuss their experience of the current poor communication with BC Planning and try and find a way to improve this to the benefit of both parties.

## ACTION LIST

## Regular actions

Minute	File application responses	Minute	News Releases	Date of appearance
161/23 (20/7/23)	8 via Consultee In-Tray 2 as email attachment (no longer in In-Tray) 2 tree applications via comment button			

## Other actions

Subject	Minute	Form	Rating √ = done	Response received
<b>Buckinghamshire Council</b>				
Cycleway on Railway Walk	529/22	<b>Cllr. Stuchbury</b> to work with <b>Town Clerk</b> to progress	√	
Buckinghamshire Local Plan	736/22	<b>Town Clerk</b> letter re BLP subgroup as minuted	√	
Strategic Sites Committee	736/22  160/23.2	<del><b>Town Clerk</b> letter re criteria for SSC attention</del>  <b>Town Clerk</b> to respond, requesting consultation on constitution review	√	See agenda 9.2 deferred to July meeting See agenda 5.2
Lace Hill Medical Centre	746.1/22	<b>Town Clerk</b> letter re s106 money status	√	<b>The matter went to appeal over a Deed of Variation to redesignate the site (the original site became Beefeater and Costa); the Inspector decided a Deed of Variation was not necessary as the parties had agreed an alternative site, and anyway the PCT (to whom the payment was to be made) no longer existed. The judgement included 15 Conditions which included</b>



## ACTION LIST

				<p><b><i>The developer of this site is therefore not required to make any financial contribution under the terms of the 2017 outline planning permission or the subsequent approval of reserved matters application, reference 21/03152/ADP [Application for approval of reserved matters pursuant to outline permission 17/02112/AOP relating to landscaping for the erection of a health centre].</i></b></p> <p><b><i>In respect of this latter application, as this was submitted in August 2021 it accords with Condition No.2 of the outline permission, whereby, approval of reserved matters (in this case landscaping), had to be submitted not later than 3 years from the date of the permission (before 24/12/21).</i></b></p> <p><b><i>Finally, conditions 5 – 11 inclusive are all pre-commencement, therefore no work can commence on site until firstly, application 21/03152/ADP is determined, and then once the pre-commencement conditions have been approved. [It was approved on 12/7/22; there are no time limits in the decision clauses]</i></b></p>
S106 matters	746.2/22  160/23.1	<p><b>Town Clerk</b> letters per Minute</p> <ul style="list-style-type: none"> <li>* how negotiated</li> <li>* meet with Shire Cllrs</li> <li>* searchable format</li> </ul> <p>Re-issue invitation</p> <p>Report on progress in (say) 3 months time</p>	<p>√</p> <p>√</p> <p>√</p>	<p>849/22 agreed to invite to July meeting; invitations sent</p> <p><b>see Agenda 4</b></p>
<b>Enforcement reports and queries</b>				
Town Hall signage	165/23	Reported to Enforcement	√	<b>Case file NC/23/00267/LB opened</b>

## ACTION LIST

Brethren septic tank	165/23	Forestalled by receipt of application	√	<b>See application 23/02204/APP</b>
Graffiti on M & Co building	165/23	Reported to Enforcement	√	<b>26/7/23 Referred to Bucks' Anti-social Behaviour Team for action</b>
Bourton Road roundabout	165/23	Paragon & Larder Café advertising boards	√	<b>Town Clerk to inspect</b>
<b>Neighbourhood Plan Review</b>				
<b>Other matters</b>				
"Year of the Tree"	792.1/21	Invite insurance co rep to meeting	√	<del>Corporate Membership not available</del>
	577/22	<b>Town Clerk</b> to prompt AXA+NFU	√	AXA & NFU contacted; no response as yet
	669/22	<b>NPWG</b> to consider valuing trees to give monetary counter to insurance companies		
	669/22	<b>Town Clerk</b> to approach NALC/BHIB	√	
West End Farm archaeology	532/22.1	<b>Town Clerk</b> to investigate progress and report to future meeting		
Care Home access, Cornwalls Meadow	577/22	Respond asking for better markings/colour to highlight the crossing  Forwarded to <b>Cllr. Whyte</b> to pursue at his request 7/2/23	√  √	Cllr. Whyte reported verbally on 24/4/23 that this has been passed to the cycling & walking team
Skatepark upgrade	746.2/22	<b>Town Clerk</b> to monitor and report on any progress		<b>Work started first week in August</b>

## ACTION LIST

Infrastructure levy consultation	819/22	Passed to <b>Town Plan Officer</b> to respond	√	
Sewage overflow into water courses	852/22.1	Town Clerk: - Letter to Anglian Water re capacity, copy to NBPPC & MP - ask MK and Oxfordshire how they deal with it	√	<b>Response from Cherwell: (They are in Thames Water not Anglian Water area). Sewage treatment is considered a Utility, and lack of capacity would be considered as similar to a lack of water or electricity supply. Infrastructure improvements are funded by the Infrastructure Charge, or by the developer as a means of fast-tracking a decision. Thames Water can ask for extra time if they need it when they respond to the consultation letter.</b>  <b>MK: As an authority we don't, and never have, sought S106 contributions in relation to capacity of wastewater treatment works – so unfortunately it isn't something we can advise on. I believe Water companies are required to regularly prepare Drainage and Wastewater Management Plans that, amongst other things, have to project demands on the existing network based on growth projections and planned development (local plans and consented sites), and set out their plan to improve or mitigate impacts arising. I think the mechanism for funding is then via government funding the water companies on this basis or charging developers to connect to their network – I am not however certain on this as it is not something I have been involved with for some time, so would advise that the Town Council discuss this with the water company in charge of their network.</b>
HMO list	111/23.4	Ask about regular updates	√	(7/7/23) Officer is looking into this.
BMKALC Quarterly Town & Parish	407/23.2	<del>Check if advertised meeting charged for</del>	√	<del>No. Not the planning meeting.</del> <del>Forthcoming dates requested, no response as yet.</del>

## ACTION LIST

Planning meeting				<b>Next meeting will be an in-person one on 30<sup>th</sup> October 2023</b>
A421 closure	167/23	<b>Town Clerk</b> to query closure for whole of August		<b>The road was opened again on Sunday 13<sup>th</sup> August.</b>

BUCKINGHAM TOWN COUNCIL  
PLANNING COMMITTEE  
MONDAY 21<sup>st</sup> AUGUST 2023

Contact Officer: Mrs. K. McElligott, Planning Clerk

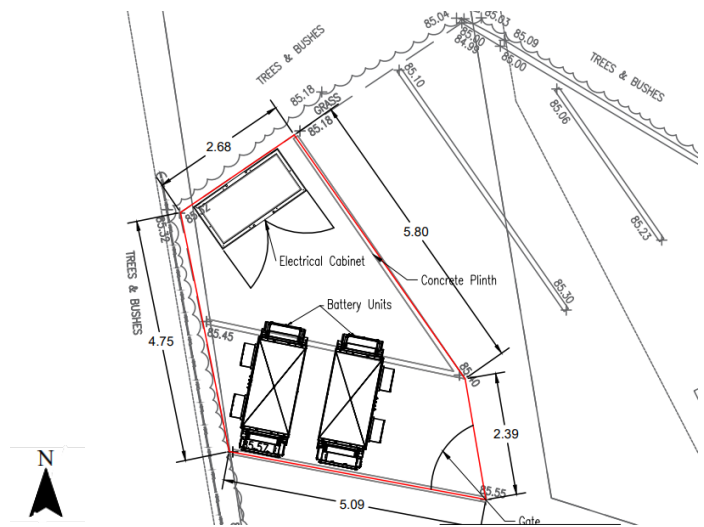
Additional information on Planning Applications

1. 23/02026/APP

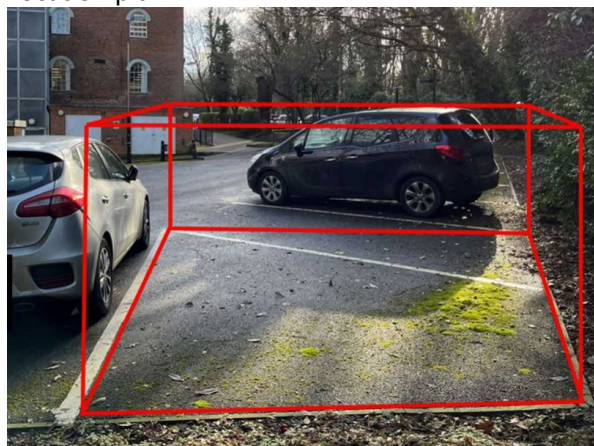
University of Buckingham Chandos Road Building car park  
Construction and operation of a micro energy storage facility and associated works  
Fairman [AMP Clean Energy Ltd.]



Location plan

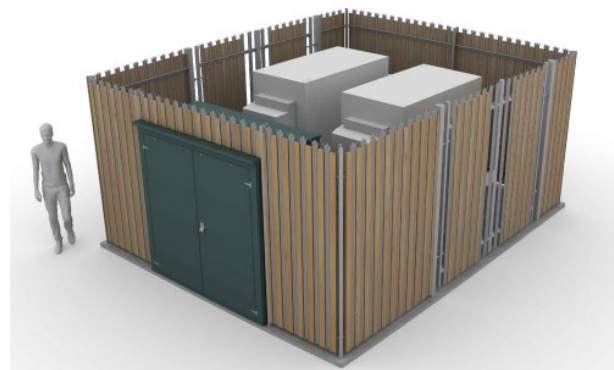


Proposed layout plan



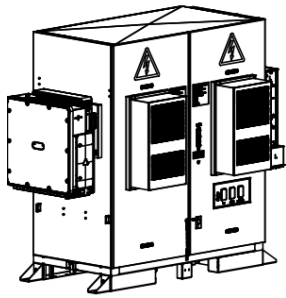
Note that the apparatus occupies the empty parking bay beyond the red box as well

Both these illustrations were submitted for the previous application, and not updated for this.

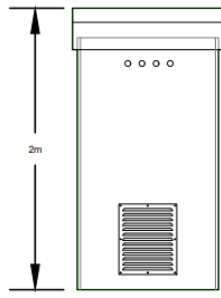


Palisade fence is 2.4m (c.8 feet) high. Note that the new enclosure is not rectangular, see layout above

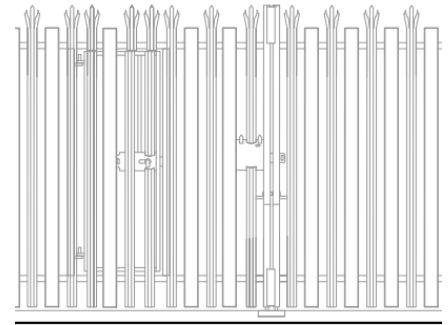
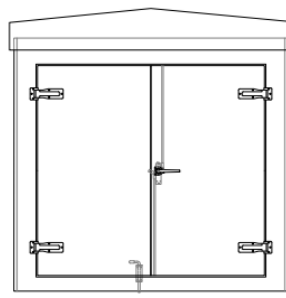
The site is the car park for the University's Chandos Road Building, at its western corner where there is dead space because the parking bays are at an angle to the kerb along two sides. Having measured this space for the previous application I can now confirm that the new layout can be accommodated on the ground although it will need the adjacent parking bay (unoccupied in the photo above left).



Battery box is 2.1m high



Side & front view of electrical cabinet (2m high)



Detail of palisade and gate (2.4m high)

Members reviewed an earlier application on 24<sup>th</sup> April for a similar scheme, and commented:

*No Objections but see comments:*

*Members wish to point out*

- *The site outlined in red on the location plan is within the woodland and the 'promontory' is the remnants of a railway siding, not an extension of the car park*
- *The measurements as given on the drawing cannot be accommodated in the area outlined in red on the photograph of the corner of the car park; two parking bays are required, plus a third on maintenance occasions, to open the cabinet doors into.*

and was accompanied by my photograph and dimensioned sketch plan.

This application was withdrawn on 22<sup>nd</sup> May.

The proposal is for an Energy Storage System (ESS) which charges up Lithium batteries when demand is low and exports the power back into the grid when demand is high (typically 4pm – 8pm, weekdays) or the renewable sources are unable to provide an adequate supply, thus removing the need to start up fossil fuel power stations. Each Battery Box is expected to save ~40 tonnes of carbon per year and 1200 tonnes over the project's lifecycle. Its storage capacity is 400 kWh, enough to power 400 homes for one hour. It will make very little noise (less than the normal background level) and gives off no emissions.

The battery equipment will be housed within a timber **drawing shows 3-pronged palings, undoubtedly steel, alternating with plain (? timber) posts – am checking** palisade enclosure following the red-line boundary on the layout plan **(also being checked, fence is not labelled on the drawings)** and has a single-width gate. **I have also asked if the metal is to be painted to be less obtrusive, as the enclosure is within the Conservation Area.** It needs to be within 50m of an existing substation and the one on the side of the Chandos Road Building is well within that (see photo above; the white door in the building at the rear).

Recent Planning History

1	21/03030/APP	Installation of a log building to provide a multi-faith prayer room, together with associated drainage works.	Withdrawn
2	22/02857/ATP	Further to the completion of a Tree Condition Survey by Jack Foskett, dated Jan and Feb 2022 and the recommendations within it. T366 - Lawson Cypress - this has storm damage to upper crown over the car park and the crown is compromised. The tree is to be felled. We have served a 5 day notice to Buckinghamshire Council of our intent to complete this work due to the safety risk which has been approved by Neil Pasmore (Arboricultural Officer).	5-day notice – proceed immediately
3	23/00894/APP	Construction and operation of a micro energy storage facility	Withdrawn
4	23/02026/APP	Construction and operation of a micro energy storage facility and associated works	Pending Consideration

The applicant lists only two 'relevant' applications – no.2 above and this:

	19/00352/ATC	remove thuja and smaller apple tree in order to make space for the other trees to grow naturally and not impede their growth	Approved
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But this is only relevant in the sense that it was in Chandos Road – no 23 is next to the park entrance – and there are many other, and more recent, applications in the immediate area of the site they have not included, including the other three above. The applicant for no.3 was AMP Energy Services Ltd.

## 2. 23/02120/APP

Stoneleigh House Boutique Hotel Ltd, 17 Castle Street, MK18 1BP  
Change of use from boutique hotel to private residence  
*Lawrence*



Location plan



Castle Street front – gates to rear at right (1/4/23)

The site is a Grade II Listed Building in the heart of the Conservation Area, which was in use as a hotel until last October when it closed. The applicant has owned the building since 2017, intending to use it as a private residence, but for health reasons this was postponed. It was changed from a 7-bed B&B to a 6-bed boutique hotel, but due to Covid and the difficulties with recruiting staff, the business has failed. Attempts have been made to provide a commercial income from various enterprises, but these have not proved viable. No structural alterations were proposed in the previous application and no drawings have been submitted with this application.

Members considered the last application (23/00942/APP) on 24<sup>th</sup> April and responded:

*Members noted the comments from Economic Development, but would prefer this important Listed Building to be occupied as a residence rather than have it empty. They also noted the current difficulty in recruiting staff for the hospitality sector. They point out that the town has hotel accommodation at the Villiers, the White Hart, the Premier Inn, the Travelodge, plus the Hilton Garden at Silverstone Circuit (197 rooms) a little out of town, and doubtless the Best Western will return to public use in due course after the Government requisition for asylum seekers expires.*

The application was Refused on 17<sup>th</sup> May 2023 for the following reason:

The proposed development leads to the loss of a 6-bedroomed tourist hotel. However, no justification has been provided to demonstrate that the tourist function of this building is no longer viable and there is no longer a market for this tourist accommodation in the area. Therefore, the proposal is contrary to Policy E8 of the Vale of Aylesbury Local Plan, which seeks to protect the retention of tourist accommodation in the district and the aims of Section 6 and 7 of the National Planning Policy Framework.

The owner has appointed a new agent with experience in this field, and he has provided a detailed document contesting this decision, and using the same arguments as our response (without mentioning the Town Council once). He has provided a table of turnover and losses, and pointed out that if one of the bedrooms had been designated staff accommodation, policy E8 could not have been applied in this way. The owner intends to sell the property, and if it is bought by someone wishing to retain the hotel classification, this application will be withdrawn.

## Property History (not trees)

1	89/01774/APP	CHANGE OF USE AND ALTERATIONS TO PROVIDE SHOPS	Refused
2	89/01776/ALB	AND OFFICES ON GROUND FLOOR AND OFFICES ON 1ST AND 2ND	
3	89/01775/ALB	CONSERVATORY	APPROV
4	89/02385/APP	ALTER THE PROPERTY TO PROVIDE ONE DWELLING AND	APPROV
5	89/02386/ALB	CHANGE OF USE TO OFFICES AT THE FRONT OF THE PROPERTY	
6	94/01147/APP	DIVISION OF EXISTING DWELLING TO FORM ONE SINGLE	REFUSE
7	94/01148/ALB	OCCUPATION DWELLING AND SEPARATE STUDENT BEDSIT ACCOMMODATION.	
8	95/01267/APP	CONVERSION OF FRONT OF BUILDING INTO 9 STUDENT	APPROV
9	95/01268/ALB	BEDSITS & REAR PART INTO SELF CONTAINED RESIDENCE	
10	97/00646/APP	REMOVAL OF CONDITION 7 * FROM PLANNING PERMISSION 95/1267/APP	Approved
11	99/02086/APP	Change of use of part of building from student accommodation to consulting rooms (D1)	Approved
12	00/02640/AAD	Non-illuminated wall mounted individual lettering	Approved
13	00/02641/ALB		
14	02/00723/ALB	Installation of clinical air extraction and provision of storage area for clinical and other waste	Refused
15	03/01282/APP	Change of use of rear part of building from residential to dental surgery	Approved
16	07/03031/ALB	Change of use from commercial to residential with internal alterations	Approved
17	07/03032/APP		
18	08/00641/ALB	Single storey rear extension	Approved
19	08/00642/APP		
20	17/04023/APP	Change of use of 7 bedroom residential property to 6 bedroom	Approved
21	17/04326/ALB	hotel with associated works	
22	17/04861/APP	Change of use of 7 bedroom residential property to 6 bedroom hotel with associated works (Part retrospective) (amendment to planning permission 17/04023/APP)	Approved
23	19/00749/ALB	Advertisement signs and flagpole attached to front of building (retrospective)	Approved
24	19/00834/AAD		
25	23/00942/APP	Change of use from boutique hotel to private residence	Refused
26	23/02120/APP	Change of use from boutique hotel to private residence	Pending Consideration

\*Condition 7 read:

7 No part of the development shall be occupied until the existing access gates to the access have been removed, and notwithstanding the provisions of Part 2 of the Second Schedule to the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking or re-enacting that Order) no gates or other means of enclosure shall be erected on this access within 6m of the highway boundary.

Reason

7 To enable vehicles to draw off clear of the highway for the safety and convenience of highway users.

But does not appear to have been implemented, see photo above



3. 23/02154/AAD

11 Market Square, MK18 1NW

Display of 1 x non illuminated fascia, 1 double sided externally illuminated projecting sign and digitally printed vinyl to glazing.

Scott [Specsavers]



Location plan



Adjacent Listed Buildings



Existing signage – to Market Square (none)



- to BullRing (20/7/23)

The site is the former Barclays Bank between Market Square and Market Hill, by the BullRing parking bays. Specsavers wish to dress the Market Square windows and change the BullRing vinyls to illustrations of Buckingham buildings (the Church, Chantry Chapel, Castle House and Town Hall). They will be the same green backgrounds with white lettering, and not illuminated internally. The hanging sign will be wood with a trough light each side. The fascia sign is aluminium and the rest are vinyl. The new signage is part of their 'first birthday' celebrations.

The signage applied for last year included a full-length fascia on the BullRing side, and a hanging sign on a wrought-iron bracket in the same place, as well as plain green vinyl on the BullRing side. These were modified twice in response to criticism from the Heritage Officer and the resulting scheme is as above, and without the hanging sign.

The building is not Listed (but is surrounded by Listed Buildings, so "affects the setting of" needs to be considered) and it is in the Conservation Area.

Planning history (post-Barclays departure)

1	21/02113/APP	Removal of the existing individual lettering and projecting Barclay's signage and night safe, existing stone and brickwork to be made good on completion, existing ATM to be removed and new glazing to be installed to match existing on completion (part retrospective)	Approved
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2	22/01725/APP	Alterations to shopfront with installation of new customer entrance door and proposed 11no. new outdoor AC condensing units, replacing 5no. existing units	Approved
3	22/01726/AAD	Display of 2no. non-illuminated fascia signs and 1no. non-illuminated hanging sign.	Approved
4	23/02154/AAD	Display of 1 non-illuminated fascia sign, 1 double sided externally illuminated projection sign, and digitally printed vinyl to glazing.	Pending Consideration

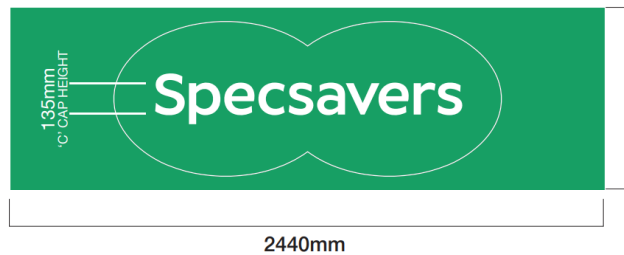


Plan of proposed signage sites

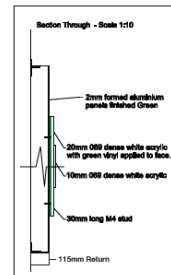
Sign 1 – over door



Existing sign



Proposed sign



Section

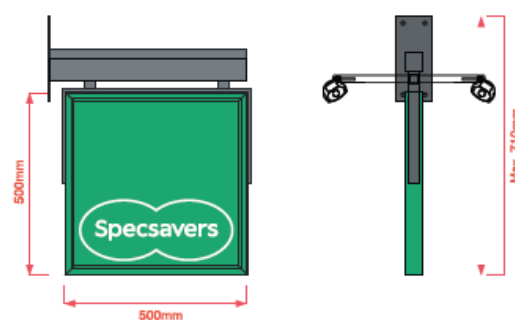
Sign 2 is new and not in the same place as Barclays had one – it's on the corner and has trough lighting:



Barclays' sign (June 2021)



Proposed sign



Proposed sign, bracket and section

Sign 3 vinyls – Market Square elevation

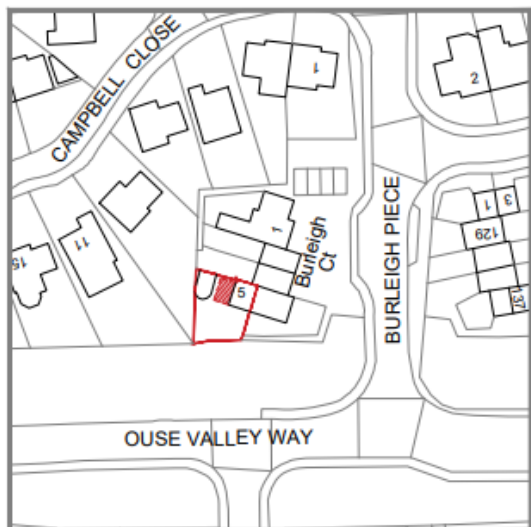


Sign 3 vinyls – BullRing elevation:

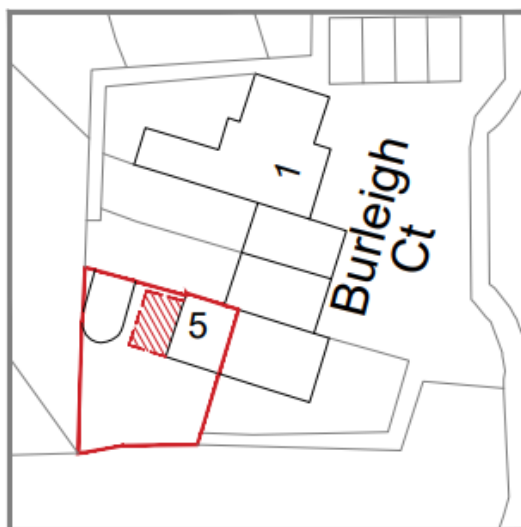


## 4. 23/02178/APP

5 Burleigh Court, Burleigh Piece MK18 7HZ  
 Householder application for single storey rear extension  
*Balasubramaniam*



Location plan



Block plan

Note that 'Ouse Valley Way' is the path linking the foot- and cycle-path along the edge of the park to the canal towpath east of the bypass, not a street.



Burleigh Court; No 1 has an attached garage (1G), and there are 4 garages in a block (G) to the north of this. No 4 has a single storey side extension approved in 2010 (with the two skylights). The front doors to both No 4 and No 5 face south, and access is via the narrow L-shaped path illustrated above - - - - - .

The site is the terraced block at the southern (school) end of Burleigh Piece where it turns a right-angle to the north, leaving a short cul-de-sac going straight on to Jarman Close and Bourton Park. The Court has an unusual layout with Nos 1-3 facing east with frontages mainly laid to lawn and Nos 4 & 5 backing on to No3 facing south, each with a side garden. The shared ridgeline is offset from that of No.3, so part of No.5 backs onto their garden. There is a two-vehicle parking layby outside Nos 1 & 2.

No.5 is effectively a half-house; it has a kitchen and living/dining room on the ground floor and a bedroom and bathroom on the first floor. No.4 was originally a mirror-image of No.5, but was granted permission in 2010 for a single storey side extension to form a sitting room, with a single pitch roof with two skylights (see illustrations above). This application proposes a similar single storey extension (it is also a side extension,

PL/49/23

because the house's rear wall is a party wall with №.3, so a 'rear extension' is not possible), with a single pitch roof and two skylights. It will enable the kitchen to be extended, and a dining area and cloakroom to be created. There is an existing short piece of wall forming the north side of a small porch with French doors to the garden; this is stepped in from the common boundary and will be retained as part of the side wall of the extension. If the existing garden building is to be retained (there is nothing to indicate otherwise in the application) the extension will almost fill the (c.1m deep) space between, limiting the area for the new doors to open into. (The extension will be approx. four times the width of the porch side window in the photo below right). There will be no windows in the north side, the door into the garden will be narrower than the existing, there will be a new small window to the cloakroom beside it, and a larger window on the south side in the extended kitchen, but there is no-one to overlook in this direction. There is no increase in number of bedrooms, so existing parking arrangements are not affected.



Front door and garden from end of access path



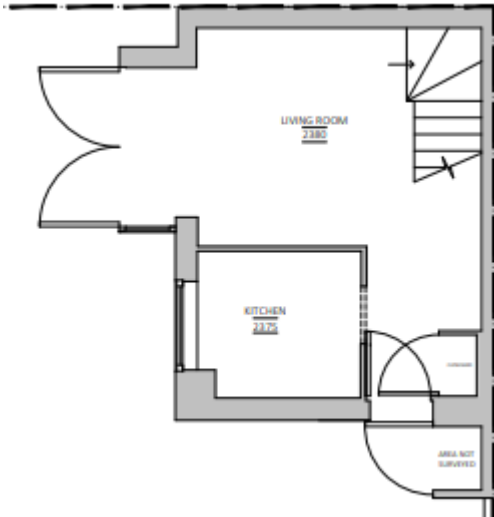
Side of house and garden area (20/7/23)  
Taken from verge outside boundary fence



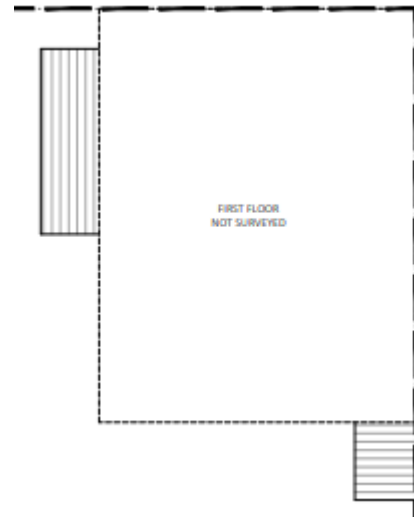
Pathway to Nos 4 & 5 from Burleigh Piece  
The fence on the left is the plot boundary,  
that on the right mainly №.4's garden fence



View from cul-de-sac off Burleigh Piece opposite Jarman Close  
There is a gate in this fence by the signpost. № 5 is to the left of the  
roof ridge, № 4 to the right. Their front doors share the porch.



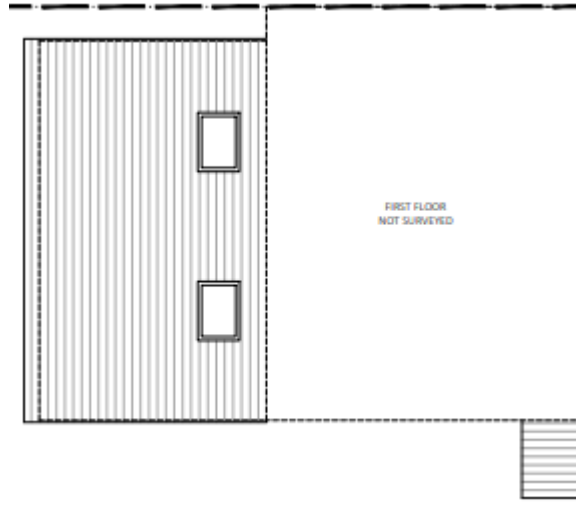
Existing ground floor plan



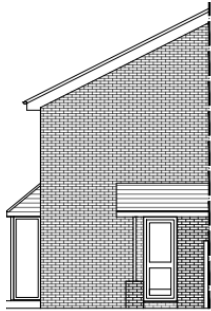
Existing first floor plan



Proposed ground floor plan



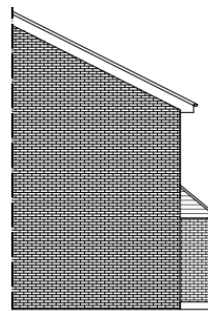
Proposed first floor plan



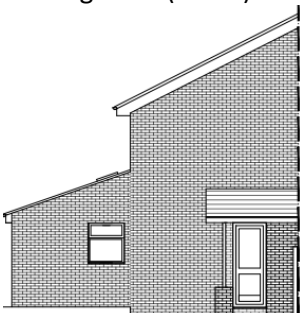
Existing front (south)



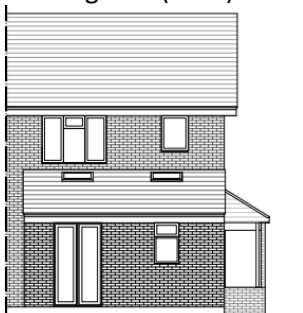
Existing side (west)



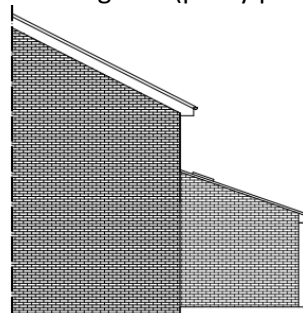
Existing rear (partly party wall) elevation



Proposed front elevation



Proposed side elevation



Proposed side elevation

5. 23/02183/APP

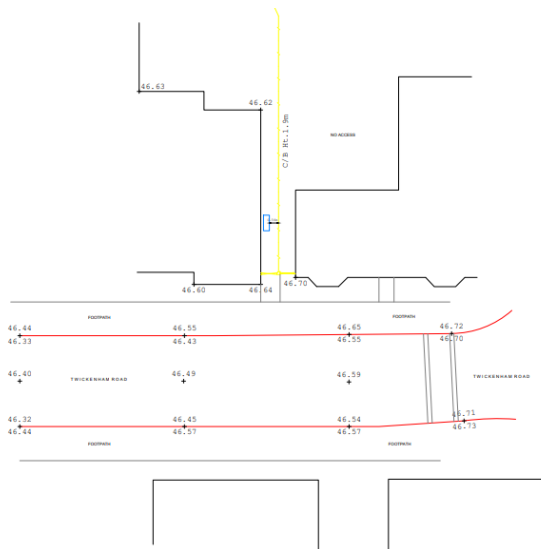
20 Twickenham Road, MK18 1ED  
 Householder application for installation of 5No internal air conditioning and  
 1No external condenser unit (retrospective)

Lawrence

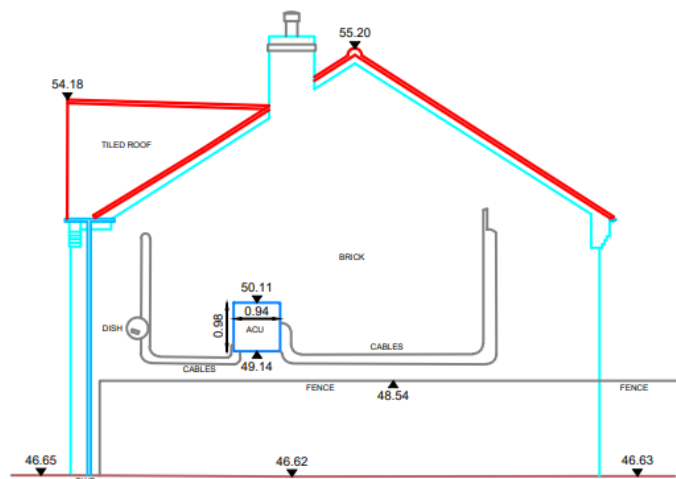


Location plan

Overhead view (from 20/00510) showing proposed access to new rugby pitches and parking



Site plan



Side elevation

The site is a 4-bed link-detached house at the western end of Twickenham Road (13/01325/APP, Plot 47, House type MR11) on Moreton Road Phase II. Its garage and that of No22 form a unit at the rear of the driveway parking, and the house is separated from No18 by their respective side passages.

The householder has installed air conditioning which can provide heating as well as cooling, thus replacing the gas central heating and reducing the carbon footprint. The five air conditioning units are in the dining room, living room and three of the bedrooms, and are connected to a single condenser unit which has been mounted on the east side wall above head height (base is 2.5m above ground level) “to minimise the visual impact” – see photo below.

There are no technical details such as noise levels submitted. If No18 is built per plans (House type MR13) the unit will be opposite the chimney breast in the living room and Bedroom 2 above.



Front of house



Installation on side of house (No18 on right)

6. 23/02204/APP

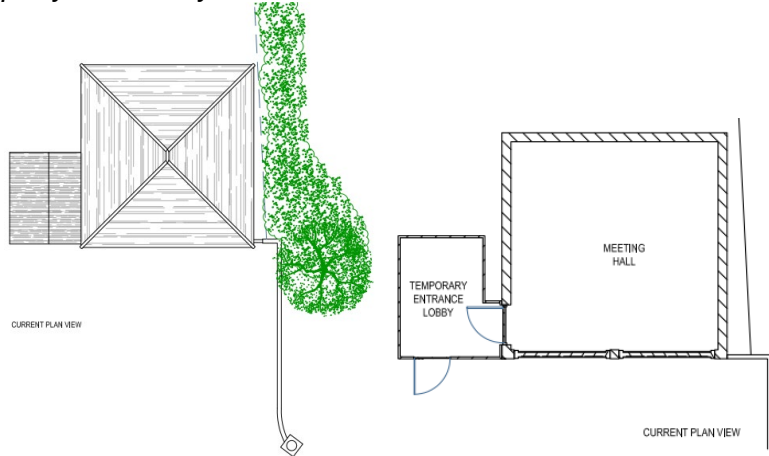
1 Mallard Drive, MK18 1GJ

Single storey side extension (retrospective) and proposed toilet with septic tank  
 Douglas [Brackley Fox Lane Gospel Hall Trust]

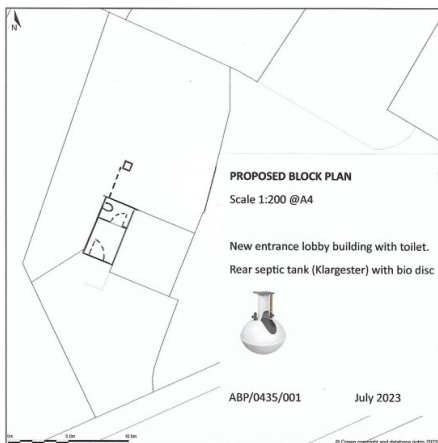
Amended description received 8/8/23 changes the site address to Brethren Meeting Hall, Mallard Drive, MK18 1GJ after the resident at 1 Mallard Drive pointed out that 1 Mallard Drive had been a separate property for some years.



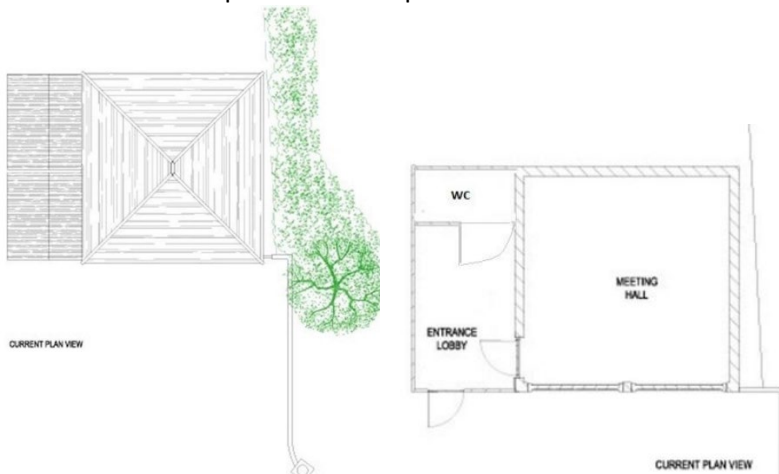
Location plan



Site plan and block plan before new extension

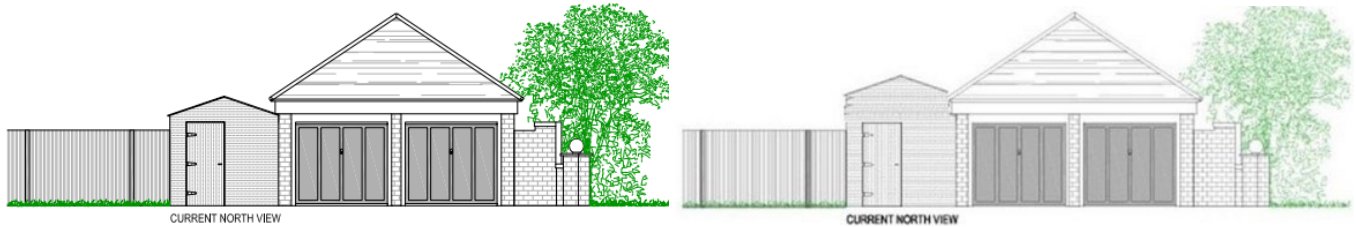


Proposed block plan and illustration of septic tank

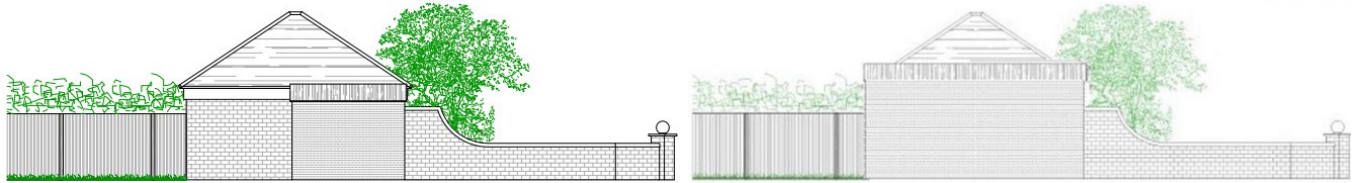


Site plan and block plan with new extension





View from Mallard Drive before installation of new 'shed' .... and with the new extension



Original view from rear of Portfield Way houses

This aspect with new extension

The site is the former detached double garage for №1 Mallard Drive; the dwelling and garage became separate properties some time between the 2006 application and the first 2008 application, and the plots were divided by a standard height closeboard fence. The converted garage was used from 2008 as a religious meeting place, a use regularised by approval of a retrospective application in 2011. The appearance of a garage was maintained by retaining the doors onto the drive, but these are no longer functional, the apertures having been bricked up behind them. Access is via the 'shed' on the west side.

#### Property history (of whole plot)

1	75/00373/AV	Alteration to bungalow	Approved
2	78/01504/AV	ERECTION OF A DOUBLE GARAGE	APPROV
3	06/01072/AOP	Demolish garage and erection of bungalow and garage	Refused
4	08/01502/APP	Raising roof [of bungalow] to create first floor accommodation and erection of two storey side and rear extensions	Withdrawn
5	08/02845/APP	Reroof [bungalow] with 55 degree pitch with two front dormers	Approved
6	11/01292/APP	Conversion of double garage and garden shed into Brethren meeting hall - Retrospective	Approved
7	14/01211/APP	Demolition of existing Brethren Meeting Hall and construction of replacement Meeting Hall with improved facilities.	Withdrawn
8	16/02069/APP	Removal of existing entrance lobby and erection of single storey rear extension to provide new entrance lobby and toilet and provision of cesspit	Approved
9	23/02204/APP	Single storey side extension (retrospective) and proposed toilet with septic tank	Pending Consideration

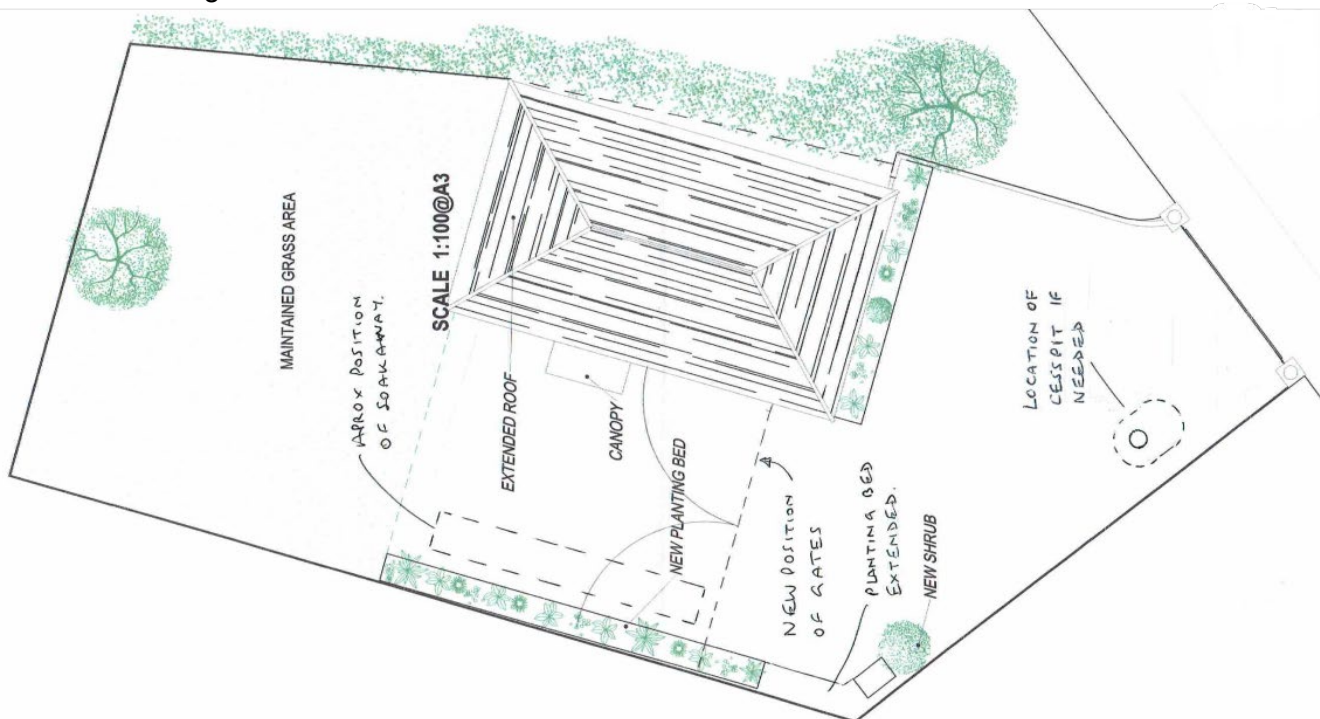
In 2016 a rear extension was approved, but not implemented (see drawing below) and that permission (September 2016, valid for three years) has now expired. The garage building remains square with a pyramid roof, and until the end of April 2023 with a timber garden shed adjacent to its west side and about half the length of the garage side wall. At the end of April neighbours complained about building work being carried out including a trench and pit in the rear garden. This was reported to Enforcement, resulting in a casefile being opened – NC/23/00158/OPDEV - and then to this application. The cesspit proposed in 2016 was to be just inside the drive entrance to facilitate emptying and maintenance. The decision sheet listed no conditions about the cesspit, but after the standard Informative, this was inserted:

- 2 It is preferable that the building be connected to mains sewerage drainage; however, in the event that the cess pit is installed, due consideration should be had for its protection from vehicles driving over it.

The officer's report for this application included:

- 4.3 The application proposes the increase of the area of hardstanding on the site, to the side of the building and extension; this is intended to allow space for turning for cars within the site, where presently there is limited scope. The provision of a cesspit remains part of the proposal, although feasibility of connection to the mains sewer is being explored. The location of the cesspit, at the front of the site by the access, has now been shown on an additional drawing. The additional plan also shows indicative location of a yard gully, soakaway to be formalised under Building Regulations.

The application is for retrospective approval of the replacement of the small timber entrance building with a larger and higher timber building with the outward appearance of a garden shed to maintain the domestic nature of the area. The new entrance is the length of the west side of the garage building and has no windows; it is intended to also accommodate toilet facilities at the rear. Sewage disposal is to be to a septic tank in the rear garden.



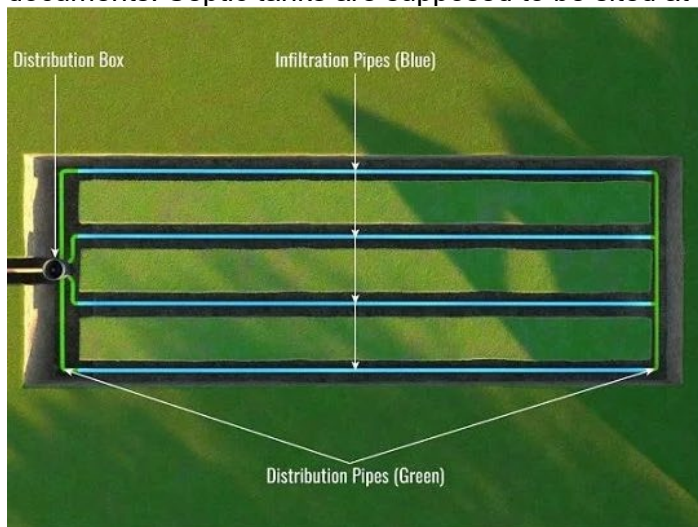
16/02069/APP Drawing 04 as approved (rotated to save space)

← N



Neighbour's photo of driveway with new shed/porch. The X is where the septic tank was supposed to be sited in 2016, see plan above.

The proposed septic tank is to be a Klargestar with bio-disc, which is more efficient and less smelly than an ordinary system. However, it still generates sludge which has to be removed regularly (at least once a year) by a registered contractor, and liquid, which is treated and then allowed to discharge into the ground or a 'drainage field' (a pattern of pipes, see below) if soil conditions allow. No information is provided on the likely volumes involved, or whether the soil conditions are suitable, and the proposal is barely mentioned in the documents. Septic tanks are supposed to be sited at least 7m from buildings.



Design of the soakaway drainage field

Soakaway Drainage Fields are no longer herringbone in design. They now are a series of parallel drains surrounded by an outer connecting drain.

The drain from the sewage treatment plant or septic tank must enter a distribution box, prior to the soakaway drainage field. This box must be able to feed every connecting drain individually.

No leg of the drainage field can be more than 30 metres in length and the finished soakaway drainage field should resemble an oven shelf, from a bird's eye view.

The maximum depth that the drain itself can be laid is 700mm, to the bottom of the pipe from ground level. See below.

There must be a minimum of 1 metre between trenches.

The regulations on septic tanks and sewage disposal systems changed last year and two more rules will apply after October 2023. Building regulations now state:

**For a single domestic property**

You cannot meet the general binding rules if there's a public foul sewer within 30 metres of any boundary of the premises that your system serves.

**If some or all of your discharge is from non-domestic properties**

Divide the maximum volume in cubic metres that you want to discharge from those other premises by 0.75 (1 cubic metre is 1,000 litres). Multiply the result by 30. This will give you a result in metres.

One must assume the second will apply, and the building is in use for two sessions a week for a maximum of 25 people.

There are 21 General Binding Rules currently in force, many of which deal with proximity to groundwater sources protection, special scientific areas and the like, but the ones that seem relevant are:

Rule number	Discharges to surface water	Discharges to ground	General binding rule
1	No	Yes	The discharge must be 2 cubic metres or less per day in volume.
2	Yes	No	The discharge must be 5 cubic metres or less per day in volume.
3	Yes	Yes	The sewage must only be domestic.
4	Yes	Yes	The discharge must not cause pollution of surface water or groundwater.

5	No	Yes	The sewage must receive treatment from a septic tank and infiltration system (drainage field) or sewage treatment plant and infiltration system.
6	Yes	No	The sewage must receive treatment from a sewage treatment plant.
15	Yes	Yes	Discharges must not be within 30 metres of a public foul sewer.
20	Yes	No	For discharges, any partial drainage field must be installed within 10 metres of the bank side of the watercourse.



Photo supplied by a neighbour (L) and Cllr. Harvey's photo from a different angle (R), showing the pit dug for the cesspit and the concrete base for the extended porch (April/May). The original bungalow is the white rendered building on the right with the dormer windows and is now in separate ownership.



Applicant's photos of new entrance (from Planning Statement)



Neighbour's photo of shed/porch slab, drainage pipe ↑ and wiring during construction (April 2023)

7. **23/02212/VRC**

Oddfellows Hall, 48 Well Street, MK18 1EP

*Revised description posted 5/8/23:*

Submission of details to enable the removal of Condition 11 attached to 21/00479/APP (Variation to condition 2 (repositioning of rooflights as approved drawing) relating to application 19/03398/APP - conversion of former meeting place (Class D1) to form 9 no. student apartments (Class C3) with associated communal facilities)

*Teff*



Location plan



The room on the left of the front door is the bin store

Planning history (Discharge of Conditions applications included to show that 11 & 12 have not had previous applications approved or refused)

1	19/03398/APP	Conversion of former meeting place (Class D1) to form 9 no. student apartments (Class C3) with associated communal facilities	Approved 24/4/20 <sup>1</sup>
1a	19/A3398/DIS <sup>2</sup>	Submission of details pursuant to Condition 4 (details of windows) <sup>3</sup> relating to Planning Permission 19/03398/APP	Approved
1b	19/A3398/NON	Non Material Amendment sought on planning permission 19/03398/APP relating to reposition consented new rooflights at a lower level on the existing pitched roof	Withdrawn 4/2/21
1c	19/B3398/DIS	Submission of details pursuant to Condition 6 (Written Scheme of Investigation prior to completion of full Level 2 Historic Building Recording report) relating to Planning Permission 19/03398/APP	Approved
1d	19/C3398/DIS	Submission of details pursuant to Condition 10 (foul water drainage) relating to Planning Permission 19/03398/APP	Approved
2	21/00479/APP	Variation to condition 2 (repositioning of rooflights as approved drawing) relating to application 19/03398/APP	Approved
3	23/02212/VRC <sup>4</sup>	Submission of details to enable the removal of Condition 11 attached to 21/00479/APP (Variation to condition 2 (repositioning of rooflights as approved drawing) relating to application 19/03398/APP - conversion of former meeting place (Class D1) to form 9 no. student apartments (Class C3) with associated communal facilities)	Pending consideration

<sup>1</sup> The building was put up for sale that evening

<sup>2</sup> This and all subsequent applications were submitted by the new owners

<sup>3</sup> The plain-glazed ones on the side elevations, not the ones on the front elevation

<sup>4</sup> Note that this application, though listed on the 'related cases' for 19/03398 has a separate webfile which is not related to any of the above and a different property code; according to the webfile for 19/03398 there are 0 Related Cases, and 0 properties associated with that address.

The original description as received on 26<sup>th</sup> July read:

Removal of Conditions 11 & 12 attached the planning permission 19/03398/APP: Conversion of former meeting place (Class D1) to form 9 No student apartments (Class C3) with associated communal facilities and the application form listed these as

### Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

11: Retrospective approval required for Waste & recycling management plan for the building. This has been submitted to the local authority for approval, but not through a Condition discharge application which is no longer possible.  
12: The stained glass windows in question will not be repaired as considered to be in a reasonable condition. So this Condition is no longer applicable.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

11: Application for approval of Waste & recycling management plan for the building to be retrospective and separate from Condition discharge protocol (remove Condition).  
12: Remove Condition

To explain the comments made by the neighbour posted on the website on 3<sup>rd</sup> August I attach some of the conditions from 19/03398:

#### Conditions

**11** The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (ref.89390-Smith-OddfeliowsHII, January 2020, UNDA).

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to ensure that surface water is managed in a sustainable manner, in accordance with Paragraph 163 of the National Planning Policy Framework, with policy I4 of the Buckingham Neighbourhood Development Plan, and policy I4 of the emerging Vale of Aylesbury Local Plan.

**12** No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

Reason: Having regard to the character and amenities of the locality and residents and to accord with policies GP8 and GP35 of the Aylesbury Vale District Local Plan, the NPPF, and policies BE2 and BE3 of the emerging Vale of Aylesbury Local Plan.

**13** Prior to the first occupation of the development, details of a waste and recycling plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details and the waste and recycling facilities provided prior to the first occupation of the development and the plan followed whilst the development is occupied.

Reason: To ensure the appropriate provision and management of waste and recycling facilities and to accord with Policy C3 of the Vale of Aylesbury Local Plan and with the NPPF.

**14** Prior to work being carried out on the stained glass windows on the north-west front elevation of the building, details of any repair work to these windows including the frames, shall be submitted to and approved in writing by the Local Planning Authority. The works shall only be carried out in accordance with the approved details, and the windows shall be retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policies GP35 and GP53 of the Aylesbury Vale District Local Plan, policy BE1 of the emerging Vale of Aylesbury Local Plan, and the National Planning Policy Framework.

which does not match the application form. Another resident undertook to clarify this with the agent and a planning officer, and the resulting change in description was made. The decision sheet for 21/00479 deleted two conditions and modified others so that Condition 13 became condition 11 and condition 14 became condition 12 and was posted on that application file but not on the document list for 19/03398. This is not particularly helpful to those who assumed the 2021 application was simply to vary the position of the skylights on the side roofs and not rewrite and renumber the original approval sheet.


#### Condition 11 (previously 13)

A Waste & Recycling Plan was posted on the website on 4<sup>th</sup> August, *several months* after first occupation (see condition 13 above). It states (¶15) that bins will be put out on the pavement on collection day and brought back in within 60 minutes of emptying so as not to clutter the street. There are supposed to be bins for recycling and general waste for each apartment, but neighbours say that the contractor collects black bags from the pavement and that bins are not used. A private firm does this, presumably at an appointed time, not the Council. The Plan states (¶12) that there is a communal kitchen and eating room in the basement, but each flat has kitchen facilities including oven, microwave, fridge/freezer and dishwasher; from the rental ads, it appears that the basement houses a small launderette and a snooker room with a darts board. This may mean that recyclable waste is not separated and the black bags go to landfill.

The apartments are advertised (see below) as short-term lets with parking and 'students may apply' (Zoopla, 5/8/23) which may qualify them as approved use class C3 (dwelling house) rather than C1 (hotels and guest houses). The change of use was reported to Enforcement (NC/00132/COU) but the case was closed in June

PL/49/23

(we weren't told, I got this information from a neighbour); I asked why, and received the reply "The approval of 19/03398/APP and later variation of condition (skylights) under 21/00479/APP has approved the change of use of the building to C3, therefore whether they are being used by students or other individuals for a C3 purpose is immaterial and does not breach the permission." Student residences are no longer a separate Class to ordinary dwellings.



£2,000 pcm  
 £462 pw  
 ↓ 19.9% Last reduced: 12th Jul 2023

1 1

**1 bed flat to rent**  
 Well Street, Buckingham MK18

\*all bills included, fully furnished. No contract - short term let available\* A welcoming and stylish, fully furnished, serviced apartment located ...

PETS ALLOWED

Listed on 26th May 2023  
 Available immediately

REF # 1717076 15/25

The full details of the offer include "The apartment also benefits from free street parking and has convenient access to neighbouring towns and cities including Milton Keynes, Bicester, Banbury and Northampton, all of which are just a short drive away", "Rent Amount: £2,000.00 per month (£461.54 per week)- Deposit / Bond: £923.07" as well as "Students Can Enquire".

The reference to Condition 12 (14) has been removed from the description since I photographed the windows for this report, but their condition leaves something to be desired; it looks very much as though the neglected state of the window frames I photographed in 2019 for the original application has been dealt with by (rather careless) overpainting. However the building is not Listed, though it is in the Conservation Area. It is not clear, in any case, whether only the windows flanking the door were meant, or whether those in the gable were included.



Left hand window in 2019



and on 31/7/23



Stained glass panels in gable end window





Window to right of front door in 2019



and on 31/7/23

#### 8. 23/02267/APP

Best Western Hotel, Ring Road South, Buckingham Railway Walk, MK18 1RY  
Temporary change of use from a hotel to catered student accommodation together with conferencing and events space for the University of Buckingham and reconfigured parking area.

*Sheridan [Delta Planning for University of Buckingham]*

The first thing to say (yet again) is that the road is a bypass, not a ring road, certainly not one with southern (and presumably, by implication, northern) sections, and the inclusion of Railway Walk in the address is concerning (it is on the application form, so either the applicant's or the agent's error).

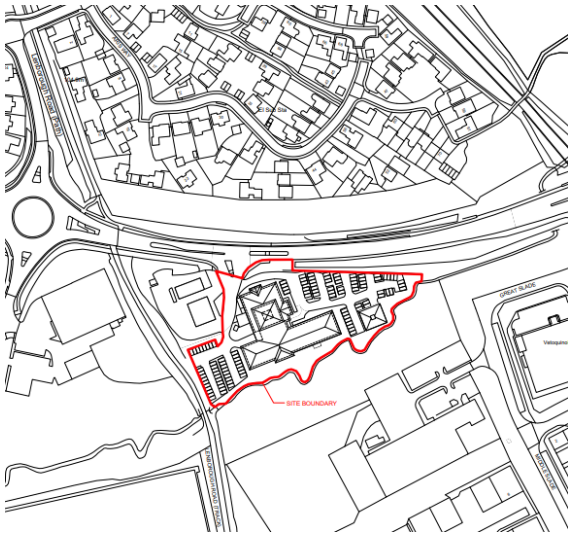
The 3-star hotel is on the south side of the A421 opposite the eastern part of Mount Pleasant (Waine Close/Aris Way) and shares its access with the Esso petrol station. It sits rather lower than road level.

The University's current accommodation is at capacity, and a temporary solution needs to be sourced while a more permanent solution is found. The applications for residences at the Hartridges site on Tingewick Road (13/03041/AOP; decision 27/1/15; 300 student rooms) and Station Road car park (17/00746/APP; decision 6/8/19; 112 student rooms) have both lapsed through non-implementation due to lack of funding. The University intends to use the hotel for 5 years. It will also be used in vacations for conferences and University events.

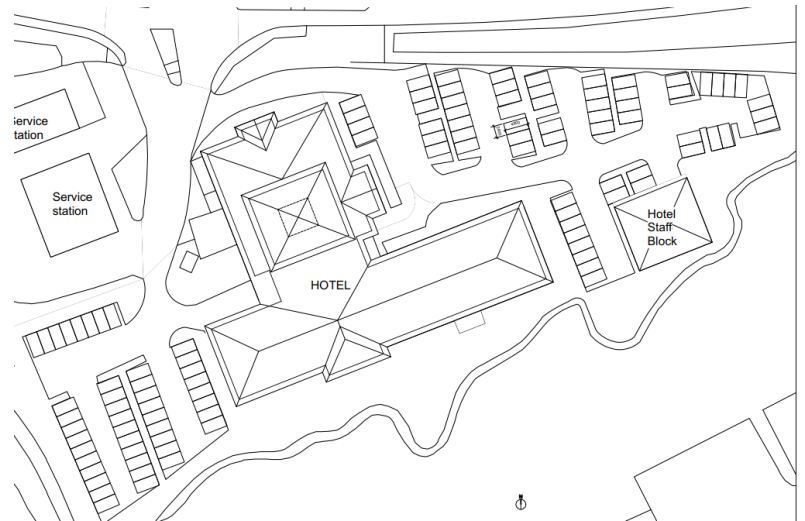
The Best Western has been used since last September for housing asylum seekers but the Government is looking for less expensive solutions while their cases are processed. The 71 hotel rooms all have en-suite bathrooms, and the separate 12-bedroom staff unit has communal bathrooms and a kitchen/common room. The hotel also has 2 meeting rooms, a bar/restaurant/kitchen area, and a leisure complex (pool, gym) which will remain available for public use.

There is no proposal to alter the hotel building itself; only the car park (currently 107 spaces) will be reconfigured to 79 at current standard size (5m x 2.8m) plus disabled spaces and parking for motorcycles and bicycles.

The building is T-shaped with the long bedroom block to the south of the entrance and the public rooms north of this with the four parking bays allocated to the leisure centre beside the building. The staff building has 8 underground parking bays (5.2m x 2.9m)



Location plan



Site plan



Site from the entrance (Goggle Streetview) The staff block is at the far left

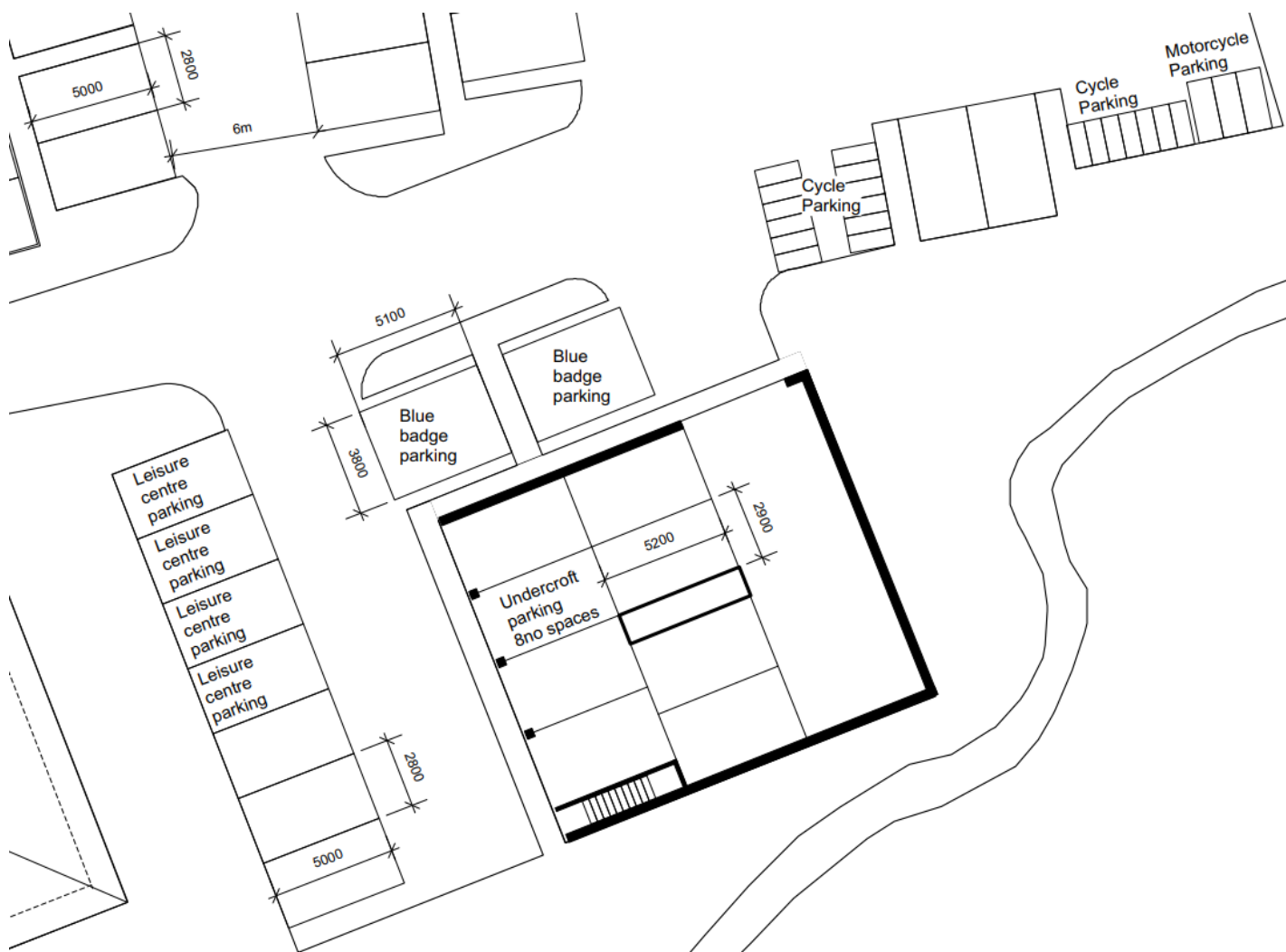
There are floor plans for each of the three floors, the basement plant room and the staff block on the website if Members want to look at them. Note that they are drawn 'upside-down' with the bedroom block at the top of the page, though they all have a correctly orientated North arrow on the corner. A standard bedroom is 21m<sup>2</sup>, a rectangle about twice as long as it is wide, with a corner taken by the bathroom at the door end and a window at the other. They have a double bed, desk, coffee table and chairs, and hanging space.

The change of use is contrary to VALP policy E8\* – tourist accommodation – but as no structural changes are to be made, the building can be returned to tourist use readily after the University has acquired alternative accommodation. However student occupation will probably be at least as useful to the economy of the town, though the documents give no indication of the number of cleaning and catering staff to be employed. The hotel is a short walk/cycle from the Chandos Road/Hunter Street campus area via Lenborough Road or Railway Walk, and not far from Verney Park, via the Circular Walk. There is no bus service nearer than Embleton Way (mainly middle of the day services) or London Road.

\*Policy E8 includes:

Proposals that would result in the permanent loss or reduction in size of tourist accommodation with at least 6 bedrooms will be resisted unless it can be demonstrated that their tourist function is no longer viable and the site has been marketed for a minimum period of 12 months at a price commensurate with its use with details of levels of interest and offers received, that there is no longer a market for the premises in its tourist function and, in the case of a reduction in size, that the ongoing business will remain viable.

There are other hotels nearby: Premier Inn (60 rooms), Travelodge (37), and in the town centre the Villiers (49) and White Hart (19). There are of course more further afield such as the motel at Deanshanger and the new hotel at Silverstone.



Detail from the site plan showing the parking area east of the hotel. The heavy black outline is the staff block.

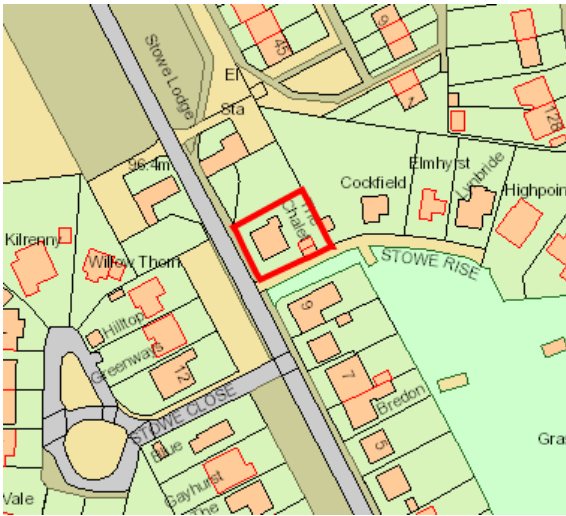
#### Planning History (not signage)

1	88/02082/APP	HOTEL WITH ASSOCIATED STAFF ACCOMMODATION AND PETROL FILLING STATION	Approved
2	89/01407/APP	ERECTION OF HOTEL WITH ASSOCIATED STAFF ACCOMMODATION AND PETROL FILLING STATION	Approved
3	89/02662/APP	AMENDMENT TO HOTEL ACCOMMODATION TO PROVIDE SWIMMING POOL SAUNA STEAM ROOM SNOOKER ROOM AND GYMNASIUM	Approved
4	91/00714/APP	EXTENSION TO LEISURE AREA TO FORM ADDITIONAL CHANGING ROOM FACILITIES	Approved
5	02/00778/APP	Erection of 2.8 metre high fenced enclosure	Approved
6	23/02267/APP	Temporary change of use from a hotel to catered student accommodation together with conferencing and events space for the University of Buckingham and reconfigured parking area	Pending Consideration

9. 23/02320/APP

The Chalet, Stowe Avenue, MK18 1HX  
Householder application for rear porch entrance. First floor rear dormer and alterations to existing first floor dormer windows

*Clements*



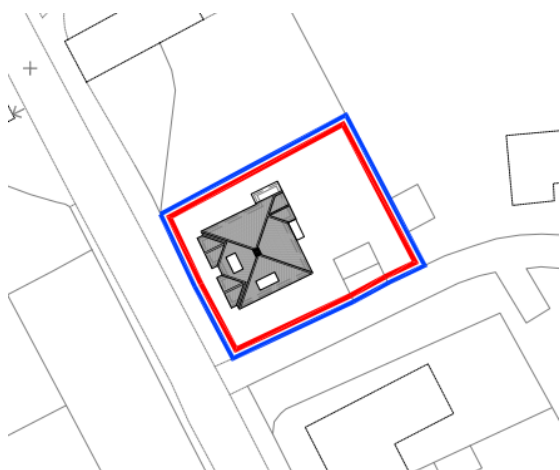
Location plan

The TPO covering Stowe Avenue is the darker green area

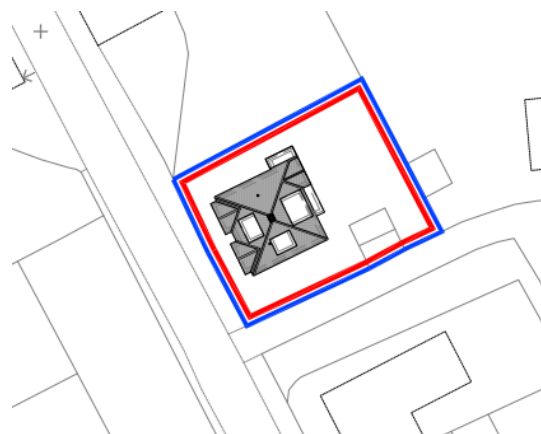


Front of cottage

Driveway to timber garage (south side) (7/8/23)



N



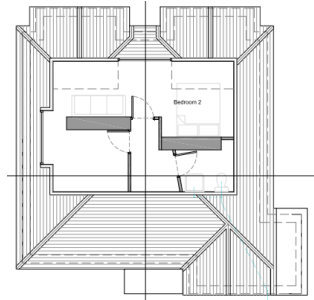
Existing & proposed site plan

The site is the last house on the right of Stowe Avenue before the (Listed) East and West Lodges, travelling north, on the corner of Stowe Rise. It shares a boundary with the East Lodge, but is hidden from it by shrubbery. It has no Planning History on the website, but looks about 60 or 70 years old. It is a 1½- storey house, brick from ground to windowsills, render above; approximately square in plan, with square bays with tiled gable roofs each side of the front door, and a tiled pyramid roof with dormer windows in the front and south sides and a central chimney. (In the orientation of the drawings below) the ground floor has, on the left of the front door and central hallway from front to back, a bedroom, living room, study and WC, and on the right hand side a living room, dining room, bathroom and kitchen, which may have been extended – it extends back from the building line and has two cubicles off it on the north wall (possibly a larder and fuel store originally?) There is an existing timber and glass porch sheltering the back door continued on from the kitchen extension. The first floor is another bedroom, sitting room, and shower/WC. This may be a loft conversion with an extending ladder as no stairs are shown. The grey shaded rectangles on the ‘existing’ plans are the chimney flues. There is a driveway to the south side with double wrought-iron gates to Stowe Avenue and a dilapidated timber garage to the rear of the house. The house itself is in need of considerable attention (for example, the side panels of the dormers – the ‘cheeks’ - have warped away from the window frames) and there is evidence of subsidence which may be caused by tree roots. If this is proved, the trees will be “sympathetically reviewed”. None are TPO’d (see map above). A view of the rear of the house (from Stowe Rise) is totally obscured by the neglected shrubbery.

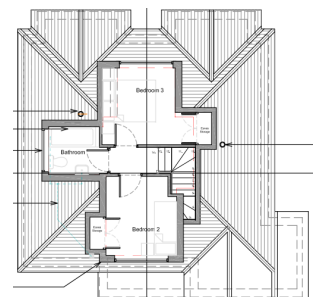
**Front (Stowe Avenue)**



Existing ground floor plan



Existing first floor plan and roof plan

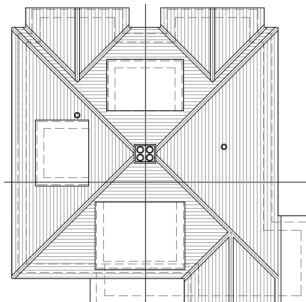
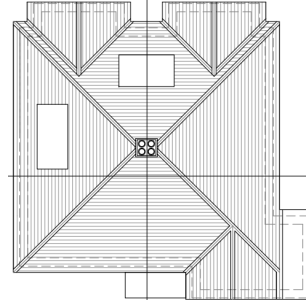


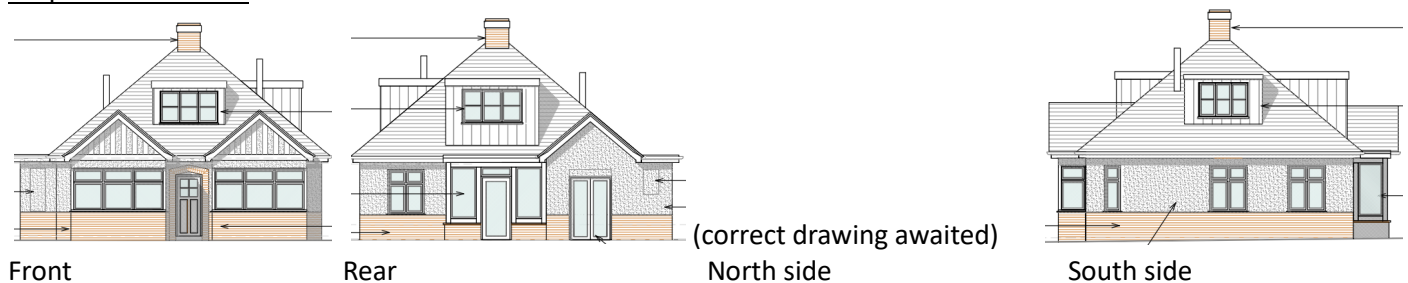
Proposed first floor plan and roof plan



**N**

Proposed ground floor plan



Existing elevations:Proposed elevations:

## The proposal is to

- Replace the rear porch with a slightly larger porch with dwarf brick walls to match the house and double glazing above, moving the door to the eastern wall
- Insertion of a staircase in the rear hallway, using part of the dining room and the bathroom
- Enlarging the kitchen by incorporating the rest of the dining room and making a dining area at the garden end, with French windows; blocking off the existing doorway to form an under-stair cupboard, and inserting a new one by the stairfoot. Relocating the kitchen fireplace to the new living room.
- Knocking out the dividing wall between the two cubicles off the kitchen, bricking up the side windows and adding insulation to form full-height storage space
- Removing the wall between the living room and study to make one room with an office alcove at the garden end; blocking up the hall door to the living room (to leave the study door, facing the stairfoot)
- Relining the chimneys and flues to all fireplaces and having them exit through the roof (avoiding the enlarged dormers); rebuilding the existing (now redundant) chimney slightly smaller in GRP and facing it with matching bricks
- Enlarging the ground floor WC enough to install a washbasin
- Making the loft space into two bedrooms and a bathroom, enlarging the existing dormers and adding a new one in the rear roof slope. Storage space under the eaves.

Cracked bricks will be replaced with matching sound ones; the render will be repainted; dormers will be to modern thermal standards, and have lead cheeks as existing.

10. **23/02381/APP**

5 Hazley Walk, MK18 7BL

Householder application for single storey rear extension

*Ralph*

The site is a semi-detached 3-bedroom house at the western end of the green at Hazley Walk off Burleigh Piece in Linden Village. It and its neighbour (№3) have long gardens with a garage and driveway parking off Sandy Close. The rear of №5 overlooks no other houses, and №3 already has an extension at the rear (no details available on planning website, but it looks from the satellite view like a similar single-pitch tiled roof). The proposal is for a rear extension with single pitch roof almost to the common boundary (gap approx. 40cm) and as deep as the neighbouring extension. The roof will have two skylights, and french doors and a window replicating the existing ones. The room will form a dining room, as the plans include continuing the hall wall through the existing kitchen/diner to allow the installation of a downstairs cloakroom. A new window to the WC will be inserted into the west wall but this will be hidden behind the boundary fence. All materials to match existing.



Location plan



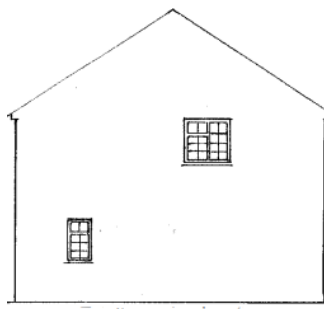
Front view of house



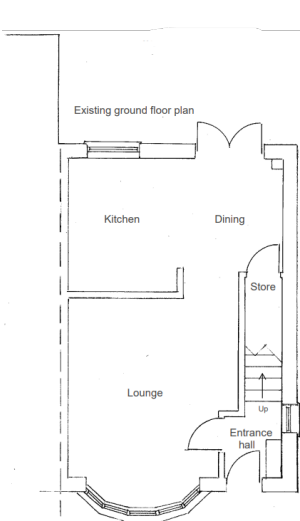
Satellite photo of area



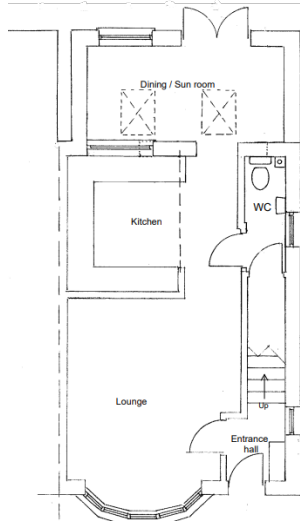
Existing and proposed rear elevations



Existing and proposed side elevations



Existing ground floor plan



Proposed ground floor plan

11. 23/02391/VRC

2 White House Cottages, Bletchley Road, MK18 7DT  
 Variation of Condition 2 (plans) relating 23/00364/ALB (Listed building [application] to replace 4 UPVC windows with traditional wood frame slimline double glazed units  
 Scott

The site is the easternmost of two Grade II Listed semi-detached late Victorian farm cottages on the north side of the A421 Bletchley Road about 600 yards from Thornborough Bridge at the junction with the lane that leads to White House Farm, some distance to the north. The cottages are brick at ground floor level, timber-framed to first floor and have decorative diaper-pattern tiled gable roofs with prominent 4-stack chimneys.



Location plan

View of No2 from farm lane

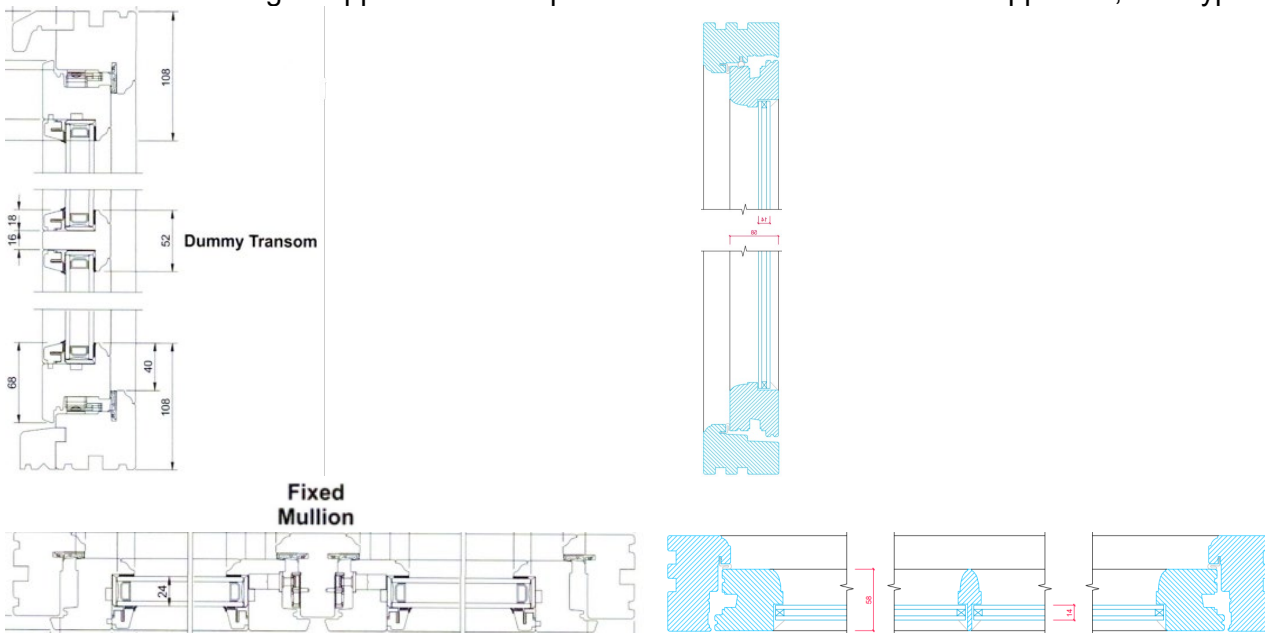
23/00364/ALB was approved on 25<sup>th</sup> April 2023 and Condition 2 states:

" 2. The consent relates to the details shown on the approved plans and documents listed below:

- Unnumbered Site Location Plan (received 3rd February 2023)
- Unnumbered Proposed Elevations (received 15th February 2023)
- Window Elevations (received 11th April 2023)
- Vertical & Horizontal Sections (received 11th April 2023)

Reason: For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority."

The selected supplier mis-quoted and the approved drawings are not slim-line units; other suppliers cannot provide slim-line units with integral bars. The new drawings therefore need to be approved, and the details of Condition 2 changed accordingly. The window frames will be exposed timber with double glazing panes. Window sections to give appearance of 4-pane casement window Black as approved, new type in colour :



**23/02456/APP**

31 Highlands Road, MK18 1PN

Householder application for replacement front boundary wall (retrospective)

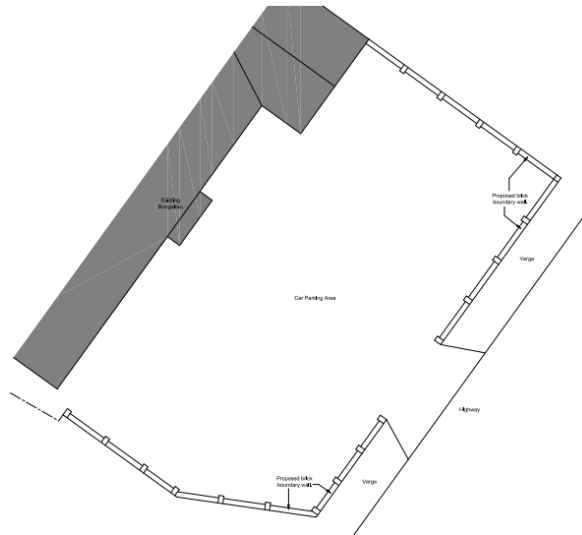
*Sanders*

The site is a much-extended 4-bed bungalow at the northern end of Highlands Road opposite the Buckingham Primary School access road, at the end of a line of small bungalows with pyramid roofs and low front walls. It was surrounded by a high evergreen hedge which screened the existing building well, and most of the frontage is paved. The house is rather below road level.

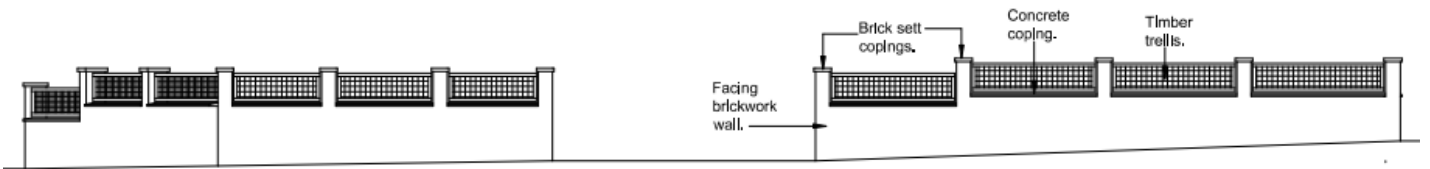




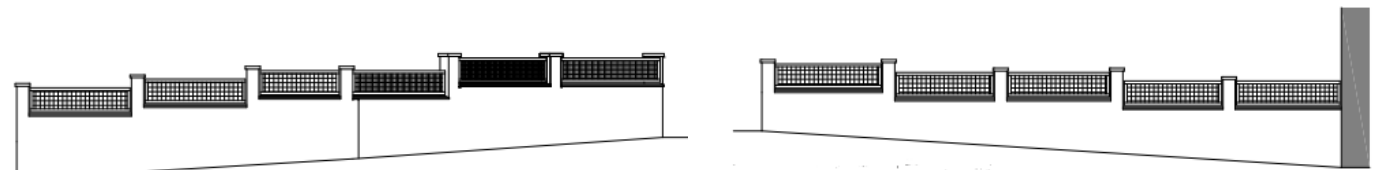
Location plan



Site plan (frontage only)



The front view from the road (the darker shading of the trellis indicates the diagonal part of the wall); the side walls are of a similar construction, stepped to follow the contour of the land. Brickwork with trellis over, grey setts capping pillars and concrete slabs the wall below the trellis. No dimensions are given on the drawings, but scaling off gives a rough height of the pillars each side of the entrance of 1.5m.



Side fences as viewed from outside premises – south

and north

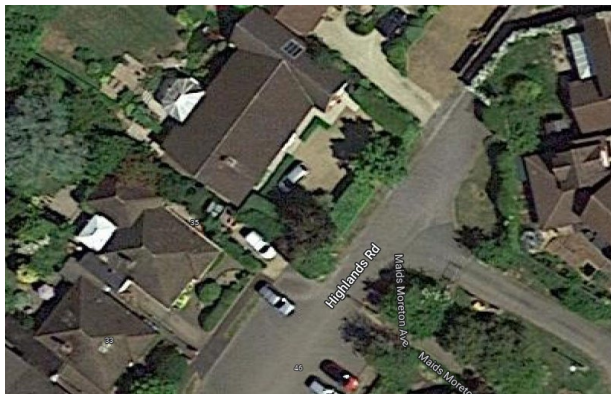
The photos below accompanied the Clerk's Report for previous applications in January and May



Front of existing bungalow – southern end



and northern end



Satellite view of the end of Highlands Road

View along Highlands Road showing row of bungalows

Note extensive (and high) hedge on three sides of frontage

### Property History

1	83/01696/AV	EXTENSIONS <i>[No detailed description or drawings available]</i>	Approved
2	22/00275/APP	Householder application for conversion of loft space including roof raise to create new first floor, insertion of first floor level balcony in the north west elevation, single storey rear extension, two storey front light well and improvements to insulation	Withdrawn
3	22/02336/PAHAS	Prior approval application (Part 1, Class AA) for construction of additional storey to create first floor living accommodation; height 7.94 metres (increase ridge height by 2.889 metres) and the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6.0 metres, for which the maximum height would be 4.0 metres, and for which the maximum height of the eaves would be 2.3 metres	Withdrawn
4	22/04055/APP	Householder application for conversion of loft space and creation of new first floor with creation of accessible bedroom space to ground floor. Erection of single storey rear extension. Improvements to insulation and energy efficiency.	Refused 26/1/23
5	23/01280/APP	Householder application for two storey central extension and one and half storey side extensions	Refused 17/7/23
6	23/02456/APP	Householder application for replacement front boundary wall (retrospective)	Pending consideration

### Other photos:



Cllr. Gateley reported the tree felling/hedge removal 24/5/23;



25/5/23 as reported to Enforcement - it was passed to the case officer as the application was as yet undecided



The site on 15/8/23 (the No Parking sign is aimed at parents of Buckingham Primary pupils)

The application form for 23/01280 included:

### Trees and Hedges

Are there any trees or hedges on the property or on adjoining properties which are within falling distance of the proposed development?

- Yes  
 No

Will any trees or hedges need to be removed or pruned in order to carry out your proposal?

- Yes  
 No

which was certainly not true on 24<sup>th</sup> April when it was submitted. The same two boxes are ticked on the current application, and the box against 'Please state when the work was started' gives 11/5/23, but does not define what they considered to be 'the work'. It was certainly on-going on 24<sup>th</sup> May, when Cllr. Gateley photo'd it, and the tree stumps had gone by c.9am the following morning when I took a photo to send to Enforcement.

## Amended Plans

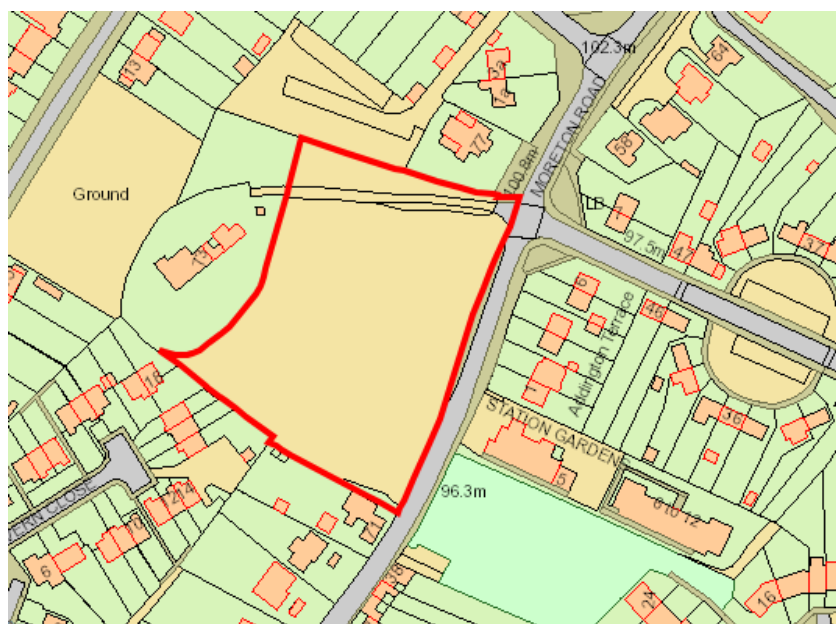
### 12. 19/00902/ADP

Land adj. 73 Moreton Road

Approval of Reserved Matters pursuant to outline permission 15/04106/AOP for appearance, landscaping, layout and scale of a residential development of 12 dwellings

M A Healy Ltd

The site is the 'rough ground' opposite Addington Terrace on the Moreton Road, above Brae Lodge (the white house that comes up to the road edge, preventing a continuous footpath on that side) and with Roxwell and its oval garden behind it. The main part is considerably higher (approx. 4m) than road level, and the roadside bank has Protected trees on it. (green areas). The new access will emerge on to Moreton Road between the two groups.



Location plan



Protected groups of trees

Members considered the original application for 13 houses (15/04106/AOP) on 22/2/16 and responded 'Oppose & Attend'; it went to Development Control Committee on 13/10/16 (decision deferred for a site visit); the number of houses changed to 'up to 13' on 7/11/16; and the Outline Application was approved on 19/7/17 with 22 conditions.

This Detail application was received on 29/3/19, and went to the Interim meeting of 15<sup>th</sup> April 2019 – Members responded Oppose and Attend, adding "Members would be minded to change their response to No Objections if confirmation was obtained of construction of a footway from the entrance to Western Avenue and the bus stop and a crossing place with better visibility. The short piece of textured paving was not adequate, and could force pedestrians into the busy Moreton Road or to cross to the other side at a dangerous place."

A sizeable bundle of Amended Plans was received on 18/12/20 and put before the meeting of 18/1/21, Members responding Oppose (no change) as follows:

*Members had no objection to the reduction of the number of dwellings from 13 to 12, though the drawings available gave alternative plans for Plot 12, (and it was still contrary to the Neighbourhood Plan policy HP7 which limits windfall sites to 10). The response from Affordable Housing was noted, but Members recommended that Policy H1 of the emerging VALP should be applied, as the proposal was for more than 11 houses, and the site larger than 0.3ha, attracting an affordable housing ratio of 25%.*

*There was no evidence of the Buckingham Vision & Design SPG having been taken into account, though some houses did have chimneys. There was no description of materials. Concern was expressed at the proximity of trees – both retained and proposed - to buildings, in particular the garage on Plot 8, which could lead to root damage and long-term problems with cracking or subsidence with an eventual request to fell the trees, to the detriment of the amenity value of the development. There were no comments from the Tree Officer on the website. It appeared that the internal road was not to be built to adoptable standard. Members also think the principal footway should be on the north side, and any encouragement to use the south side deleted so that there is no opportunity to walk into town without first crossing the Moreton Road. There is no possibility of a continuous footway into the town centre on this side of the Moreton Road, and even walking a short way down and crossing above Brae Lodge is extremely dangerous. The only options should be to cross immediately, or walk uphill a short way to where the hill levels out and visibility is better.*

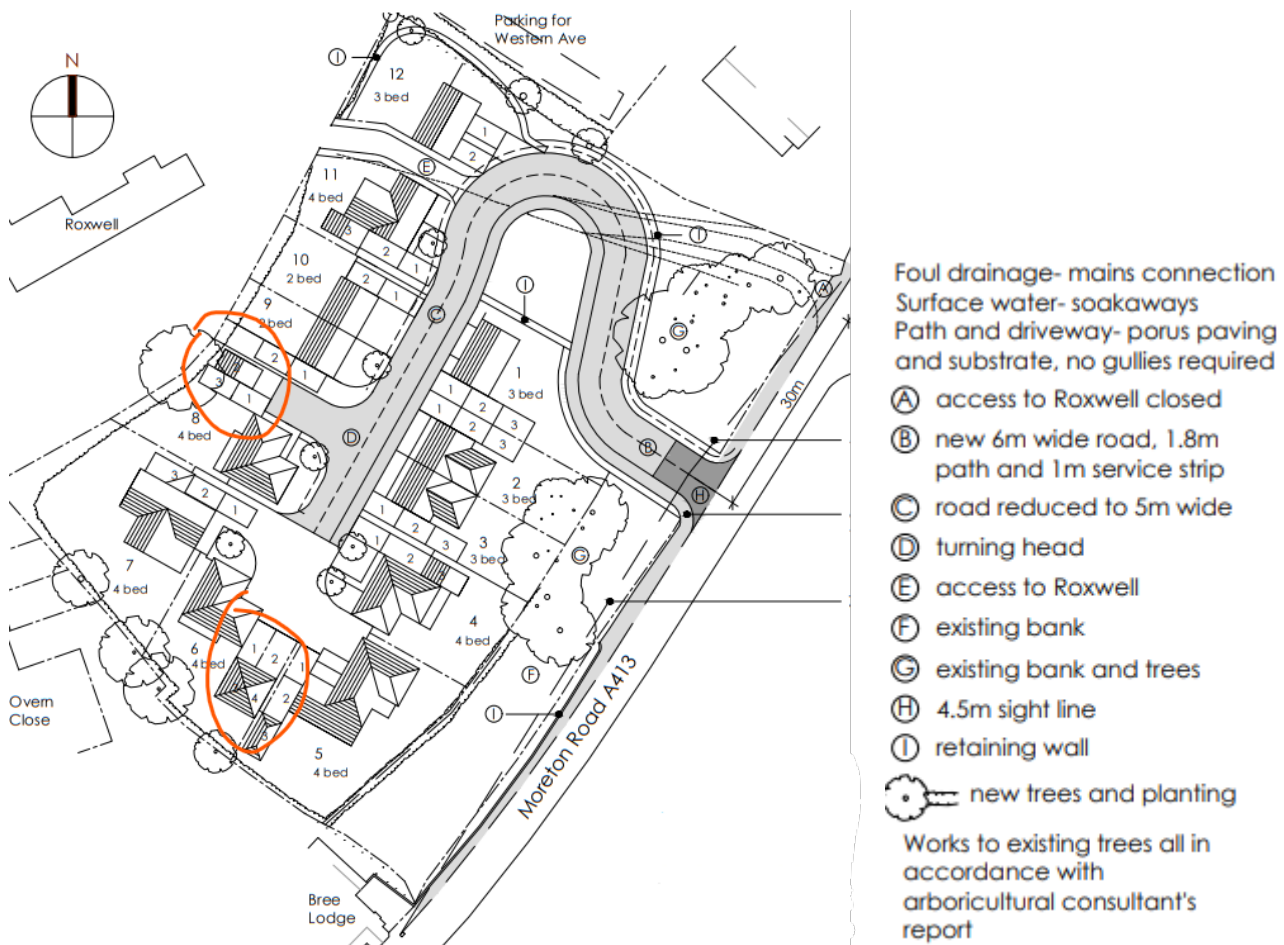


2020 revised site plan

Nothing else was updated until the current batch of Amended Plans (8 architectural drawings, 12 engineering drawings, a new Landscaping Plan and a SuDS Maintenance Guide). Fortunately most of these are related to changes to the Site Plan as follows:

- All the garages have been upsized to current standards (only Plots 4, 5, 6, 7, 8 & 11 have a garage)

- Plot 6 has been given a double garage with two parallel driveway spaces, instead of a single garage with two in-line driveway spaces
- The garage on Plot 8 has been moved over, away from the tree
- Each house has been labelled with the number of bedrooms
- Each plot has its parking provision numbered (note: #3 on Plot 7 is a garage; the hatching is missing)



2023 revised Site Plan (principal differences ringed)

Note that the southbound tarmac footway is still marked (grey), ending at Brae Lodge with no view of oncoming traffic, and though there is a grey marking north of the access, it is not defined (the grey shading marks tarmac impermeable surfacing on another drawing).

These photos were taken for the 2020 Clerk's report:



Existing verge above proposed access



Existing retaining wall below proposed access

And these were included in the report in 2019 (the bus service no longer uses double deckers and has been reduced to one downhill at 9am and one return journey at midday, on weekdays; more on Saturdays, no Sunday service).



Southern end of site and Brae Lodge



Brae Lodge and southern end of site from below

**Not for consultation (circulated separately due to time constraints)**

13. 23/02260/ATC

St. Bernardine's Church, Chandos Road  
T1 Lime: reduce back to previous reduction point of 2018  
*Grant*



Location plan



tree (from Chandos Road Building car park) (31/7/23)  
Brick building is Royal Court

KM

15/8/23

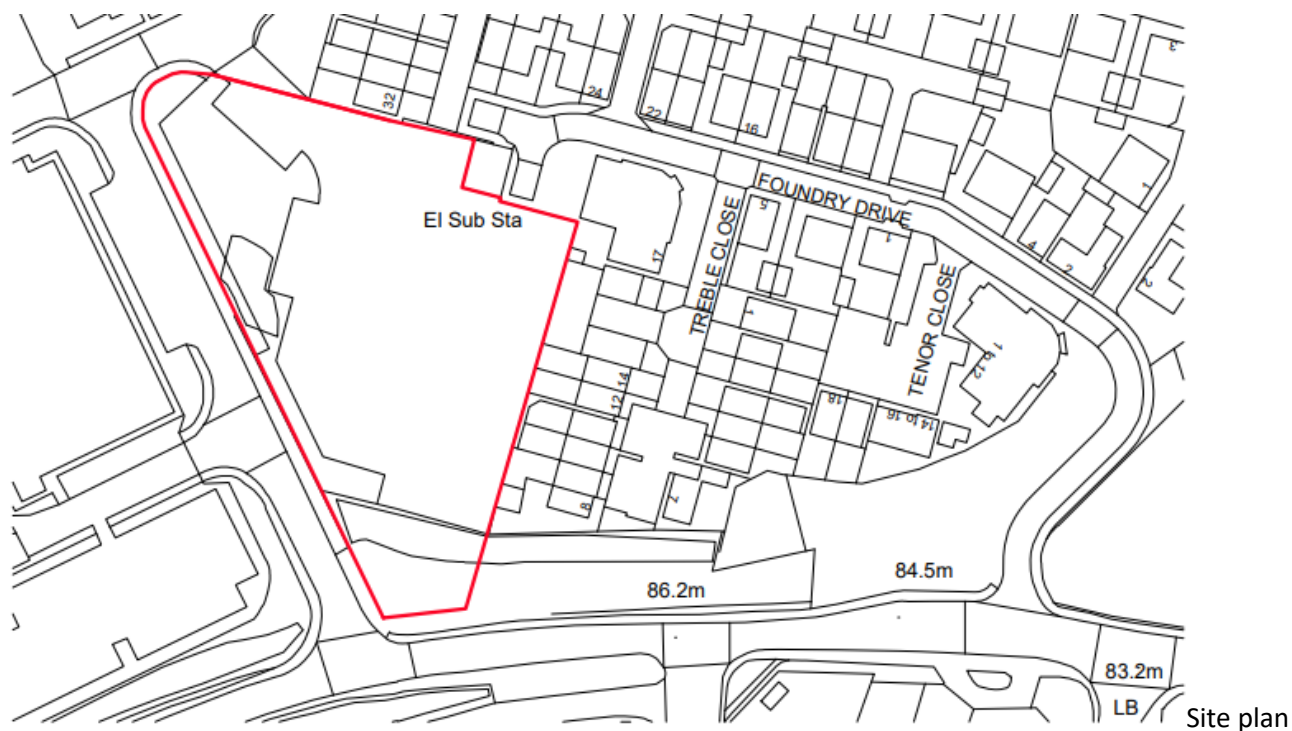
## ADDENDUM

## Agenda 9.2.2 – Planning Appeal

22/02988/APP

OPPOSE

Land at Foundry Drive [Clarence Park]

Erection of 16 dwellings and associated junction/access, parking, amenity space and landscaping  
W. E. Black Ltd.

Members' response (Extraordinary Interim Full Council 23<sup>rd</sup> September 2022) was:

While the Neighbourhood Plan is named as a reference, the Buckingham Design Statement, a retained SPD, is not. Furthermore paragraph 4.9 in the applicant's Design & Access Statement reads:

Some of the policies in the BNDP are already outdated (eg provision of affordable housing) and, whilst regard has been paid to them, they are now reflected in greater detail in the newer Local Plan as set out above.

And is incorrect; the higher 35% was confirmed by the VALP Examining Inspector. This means there should be 6 Affordable houses, not 4.

The layout of the development is cramped with minimal open space, and access is poor. This is not good place-making, and there is no encouragement to walk or cycle, even though the town centre, schools and other facilities are not a great distance away. No account is taken of the change of levels over the site, and a good part of it is in Flood Zone 2. There seems to be an assumption that these 16 houses can be tacked onto Clarence Park's utility infrastructure without harming neighbourly relations, so some arrangements must be arrived at for contributing to their management company's fees, for the use of their sewers, for example.

Foundry Drive is narrow, with a pinch point, and a footway on one side only. On the other side front doors open straight into the roadway. The suggestion from Highways (for the earlier layout) that all construction traffic access the site from the Industrial Park entrance to the north, where there is adequate width and



turning space, must be adopted. The site access from Foundry Drive cannot be widened without moving the electricity substation.

The siting of the bin hardstanding areas for the Affordable housing means hauling the bin along a rear path, presumably with a close-board fence matching Treble Close's, and with no lighting. This has not been picked up on by the Police's Crime Prevention Advisor, though she is extremely critical of other areas lacking surveillance.

Other hardstandings may be convenient for hauling to a collection point, but are a good way from the house, which is less useful.

Though no materials are specified, it is assumed that the restricted tracking of the refuse vehicle and the difference in colour of the roadways on the Landscape Plan means that the remoter parts are to be block-paved. This is not acceptable, in Member's experience, and requires a lot of maintenance. Neither is a shared-surface street acceptable.

All new dwellings after June 2022 should be provided with the means of charging electric vehicles (Building Regulations). It would also be considerate if one visitor bay had a commercial charging point.

That there is space for a garden shed is noted, but none are provided; in the absence of a garage, this would be a courtesy.

Members suggest that the applicant takes time to revise this application and resubmits it with

- A more spacious and sympathetic layout taking the topography into account
- A site plan
- A materials plan
- A boundary treatment plan
- The correct number of Affordable dwellings
- Recognition of all the CPDA's comments about surveillance and parking
- Tree drawings overlain on the building layout in the submission, not a previous version
- A contaminated land report
- The additional information for the LLFA
- A resolution of the criticisms made by Waste & Recycling
- Incorporation of grey water recycling and solar panels as standard
- Confirmation of fast broadband installation before occupation
- A construction management plan using the rear site access only
- A document from Anglian Water that accepts connection to their sewerage and stormwater drains (note: the river a few metres to the north of the site is the Great Ouse, which flows into the Wash, not the Thames)

Members would also like to be party to the discussions of s106 matters, including Health, Leisure and Recreation, Education, Traffic and Travel contributions, per Buckinghamshire Council's Town and Parish Charter.

The application was refused on 30<sup>th</sup> January 2023 for the following reasons:

1. In the absence of appropriate evidence comprising the 2 year marketing for a suitable employment use at the site at an appropriate price, it is not demonstrated that the employment use element of the site is no longer viable. As such, the proposed development would result in the loss of an employment site that could provide diverse employment opportunities which are vital for the future sustainability and development of the local economy. This is contrary to Policies S1, S2, S3 and E2 of the Vale of Aylesbury Local Plan (2021) and the aims of the National Planning Policy Framework (2021).

2. The proposed development, by virtue of the amount of development, layout, and lack of meaningful landscaping, would create a cramped form of development that is out of keeping with the setting and surrounding context of the site. This is indicative of poor design and is considered harmful in terms of its visual amenity. Furthermore, due to the amount of development and the layout, the proposal would unreasonably harm the amenity of existing residents at neighbouring properties and would not achieve a satisfactory level of amenity for future residents. This is contrary to Policies BE2 and BE3 of the Vale of Aylesbury Local Plan (2021) and Chapter 12 and Chapter 16 of the National Planning Policy Framework (2021), Policy DHE1 of the **Buckingham Neighbourhood Development Plan** (2015), the Design Guide on new houses in towns and villages, the **Vision and Design Statement for Buckingham SPG** (2001), and the Safety Through Design SPG (2001).
3. The Vale of Aylesbury Local Plan Policy NE1 requires that all development protect and enhance biodiversity. As such there is a requirement to achieve a net gain in biodiversity which is measurable. The proposal fails to adequately demonstrate a Biodiversity Net Gain can be achieved on site which includes avoiding any on-site loss, mitigating any loss if it can be avoided, remediating any lost or damaged biodiversity on site and, if not possible, compensating for any on-site loss off-site. As such the proposal fails to meet the requirements of Policy NE1 of the Vale of Aylesbury Local Plan (2021) and Section 15 of the National Planning Policy Framework (2021).
4. Insufficient information has been provided regarding the proposed surface water drainage scheme. It has also not been demonstrated that the system is able to connect to, and that there is sufficient capacity within, the sewer system to take on additional flows from the proposed development. As such, it has not been demonstrated to the satisfaction of the Local Planning Authority that the development would not result in an unacceptable impact upon surface water drainage, the natural environment, and water resources. This is contrary Policies I4 and I5 of the Vale of Aylesbury Local Plan (2021), Policies I3, I4 and I5 of the **Buckingham Neighbourhood Development Plan** (2015) and the provisions of Chapter 14 of the National Planning Policy Framework (2021).
5. Policy C3 of the Vale of Aylesbury Local Plan (2021) requires an energy statement for proposals for major residential developments (over 10 dwellings) to demonstrate how the energy hierarchy has been applied. However, no energy statement has been submitted with this application. In the absence of this, the proposed development fails to demonstrate whether or not it would achieve a reduction in carbon emissions through the proposed design and to demonstrate that the energy hierarchy has been applied. This failure to take steps to mitigate the impacts of climate changes via the provision of an energy statement conflicts with the requirements of Policy C3 of the Vale of Aylesbury Local Plan (2021) and the provisions of Chapter 14 of the National Planning Policy Framework (2021).
6. Evidence of compliance with the accessibility standards set out within Policy H6c of the Vale of Aylesbury Local Plan has not been provided. The proposed development fails to demonstrate that the accessibility standards required by Policy H6c of the VALP would be met and the scheme would therefore fail to make adequate provision for housing for older and disabled people to the detriment of promoting inclusivity. The proposal therefore fails to demonstrate compliance with Policy H6c of the Vale of Aylesbury Local Plan (2021) and the provisions of Chapter 5 of the National Planning Policy Framework.
7. Had the above reasons for refusal not applied, it would have been necessary for the Applicant and the Local Planning Authority (LPA) to enter into a Section 106 Agreement to secure the provision of the necessary infrastructure directly required both on and off site as a result of this development in the interests of safeguarding public infrastructure, to deliver mixed and balanced communities by the provision of policy compliant affordable housing, and to secure the provision of a contribution towards open space and education. In the absence of a completed S106 Legal Agreement to secure necessary developer contributions, the application fails to comply with the requirements of Policies S5, I2, I3, and H1 of the Vale of Aylesbury Local Plan (2021) and the provisions of Chapter 5 of National Planning Policy Framework (2021).

There is no mention in the Statement of Case of the Town Council's response, and the BNDP is mentioned five times – two are because the Refusal notice is quoted verbatim as above, and three as below in **Section 4 – Review of Relevant Planning Policy**. The majority of the other 32 documents are copies of drawings and documents, and some correspondence with Buckinghamshire Council.

4.1 Section 4.0 of the PDAS set out the relevant Development Plan documents (Vale of Aylesbury Local Plan [VALP] and **Buckingham Neighbourhood Development Plan [BNDP]**) and policies therein. In respect of many, the proposals are compliant. Where there is alleged conflict, the policies will be assessed in respect of each reason for refusal.

4.2 In this addendum, one point which is pertinent is the Council's continued assertion that the appeal site is an "employment site". The question of the outline permission is discussed in the previous section of this Statement and it is firmly contended that this has lapsed.

4.3 The site is a small part of what was the eastern half of the Tingewick Road Industrial Estate. It has long been cleared and the bulk of this half developed for housing. The whole estate has never been allocated or designated for employment purposes (PDAS 5.3 and 5.7) in previous Development Plans and 21019 - Land off Foundry Drive, Tingewick Road, Buckingham, Bucks MK18 1WW Page 14 is not in either the VALP or **BNDP**. The eastern half is designated as "existing/committed". The remainder (western part) of the estate, upon which the buildings are largely vacant, is allocated for housing.

4.4 At the time the **BNDP** was being prepared and indeed made (2015), it would have been fair to say that today's appeal site along with the then proposed housing on Foundry Drive was a "commitment", as extant approvals were in place for commercial and residential development. Now they are lapsed and built out respectively. As the VALP evolved, the combined site was described as a "commitment", but not by the time it was adopted in 2021. The term by then was a legacy. Both plans, of course, show the majority of the western half of the industrial estate as a housing allocation.

4.5 These facts are important to any assessment of the Council's position that there is, as it alleges, "the loss of a vacant employment site" and which it links to the benefit of an outline consent for office/light industrial uses. Significantly, these matters were all before the Council in the form of the PDAS in dealing with the "loss" of employment land.

**Cabinet 11th July 2023:****Question from Councillor Robin Stuchbury to Councillor Broadbent, Cabinet Member for Transport**

**"I believe it is important that we gain a full understanding of the use of section 106 funding for transport on the Lace Hill development in Buckingham. The Schedule of Payments within the Section 106 agreement clauses refers to the timing of delivery of bus and transport links and in relation to London Road there is a £95,000 Public Transport contribution payable in five annual tranches after the 50<sup>th</sup> dwelling is occupied and before the 300<sup>th</sup> dwelling is occupied, to provide a twice per hour bus service between Buckingham and Aylesbury, and 4 bus stops with shelters and real-time information within the development. The Section 106 quarterly update in 2015 also referred to the £250,000 footway/cycleway contribution "*Contribution received and awaiting ASB approval for 2015/16 programme*", £380,000 Bus/public transport subsidy "*Ongoing revenue support for Line 60 extension to Moreton Road and £125,000 Lace Hill service X60 enhancements which was awaiting ASB approval for 2015/16 programme.*" Therefore, as it appears that the estate roads are nearing adoption, I am seeking reassurance that this money is still being programmed to deliver the additional transport services the section 106 agreements indicated to improve transport connections/conductivity for the community of Buckingham and reduce vehicle journeys."**

**RESPONSE from Councillor Broadbent**

As you are aware, Council Officers and I are meeting with local Members on Tuesday 18th to discuss progress on sustainable transport improvements in Buckingham. So we can explain any of the points that have been here in more detail during this meeting, if necessary.

To confirm, the s106 agreement associated with the Lace Hill development was completed in 2009. Planning obligations included:

- £475,000 towards the cost of providing an improved bus service and public transport infrastructure
- A Footway/Cycleway Contribution of £300,000 towards the cost of improving the footpaths and cycle paths in Buckingham

I can confirm that these contributions were all received and were indexed for inflation, so the actual amounts secured were somewhat more.

The Council used these funds to improve the X60 bus service to two buses an hour between Aylesbury and Buckingham; provided bus stop infrastructure on the A413 London Road; and helped fund the Buckingham-Winslow cycle route project. As intended, these improvements all benefited residents of the development and other users. Unfortunately the increased frequency of the X60 bus came to an end in March 2020 when the developer funding came to an end, also coinciding with the COVID pandemic. Unfortunately this has had a lasting impact on bus usage generally and the X60 now runs every 60 mins.

In line with the S106 agreement wording for the footway/cycleway contribution, this was used to fund the Buckingham-Winslow cycle route project. It is worth adding that - as Local Members already know - we were recently successful in our Active Travel 4 Funding bid to DfT for further active travel improvements within Buckingham Town Centre. This work will inform the use of future S106 funding and will ultimately help deliver a wider active travel network for the town.

The s106 agreement associated with the Lace Hill development (planning permission 09/01035/AOP) was completed 28 October 2009. Planning obligations within this included requirements for:

- A contribution of £475,000 (plus indexation) "towards the cost of providing a twice per hour bus service operating between the Land Buckingham and Aylesbury town centre" and public transport infrastructure.

- A Footway/Cycleway Contribution of £300,000 (plus indexation) "towards the cost of improving the footpaths and cycle paths on that part of London Road which lies to the north of the A421 and the footpath and cycle path network in Buckingham".

These contributions were all received by November 2017, and both contributions were indexed for inflation so the actual amounts secured were somewhat more. The total amounts received were:

- £475,000 + £90,815 (indexation) = £565,815
- £300,000 + £26,166 (indexation) = £326,166

More detail on the use of the funding from the Lace Hill site is set out below:

#### Bus services

The public transport contribution was used to increase the Aylesbury to Buckingham from one bus an hour to a bus every 30 minutes between Aylesbury and Buckingham between November 2014 and March 2020. Initially, the increased bus service alternated between an express service via the A413 and also via villages south of Winslow. In 2019 the twice per hour service was revised to be all express services, with none via the villages.

The S106 funding from the Lace Hill development came to an end in early 2020. Unfortunately, since that time the COVID pandemic has had a lasting impact on bus usage and it has not been possible to continue the X60 as a service every 30 minutes; it now runs every 60 mins. It's not possible to be certain but our Passenger Transport teams judgement is that without the pandemic the 30 mins service may well have been able to continue as a commercial service at certain times of day.

#### Public Transport Infrastructure

The X60 service never went through the Lace Hill development itself so a southbound bus shelter was installed on the A413 at Benthill Farm in 2014 in order to serve residents from the development site. Three Real Time Passenger Information (RTPI) displays were also installed at the Tesco stops and at Benthill Farm.

#### Footway/Cycleway Contribution

The Foot & Cycleway s106 contribution from the Lace Hill development was put towards the cost of the Buckingham-Winslow cycle route project, which runs adjacent to the development along the A413 London Road. As Local Members have already been informed, we were recently successful in our Active Travel Fund Tranche 4 bid (DfT) for funding to carry out feasibility work for active travel improvements within Buckingham Town Centre. Our new term consultants, Atkins, have already been commissioned to commence this work and officers will shortly be engaging with local Members and the Town Council at appropriate stages of the programme in order to understand local priorities. It is envisaged that this work could help to appropriately inform the use of both existing funding and to secure future S106 funding from development sites in Buckingham to enable delivery of the measures that are identified in this work. This work will ultimately help to contribute to delivering the wider active travel network for the town as identified in the Interim Buckingham Local Cycling & Walking Infrastructure Plan.

Applications to fell trees 2020 onwards  
Protected trees (ATP)

Year	Appl. No.	Address	Trees affected	Reason	Decision
2020	00834	2 Bostock Court	Weeping Willow	Dead (DD five day notice)	Approved
	01942	Land adj. 11 Cromwell Court	3 x Norway Maple	Trees in Foscott Way verge. Implication in subsidence issue	Approved
	02356	Maids Moreton Avenue, adj. 3 Carisbrooke Ct	Chestnut	Reported as reason for subsidence	Approved
	03021	1 Bostock Court	4 x Lawson Cypress	Causing excessive shading and have low amenity value	Approved
	03373	Open space, Watchcroft Drive	Sycamore	Dying and diseased, large limbs already dead, possible suffering from Sooty Bark disease. Bordering School so high risk.	Approved
	03375	Maids Moreton Avenue, rear of Stratford Lodge	Not specified	Remove dead trees and regrowth from previous felling.	Approved
2021	01706	Land adj. 11 Cromwell Court	1 x Norway Maple	Omitted from 20/01942/ATP; implication in subsidence issue	Approved
	03259	Buckingham Primary School ( <i>mainly Maids Moreton Avenue</i> )	1 x English oak 1 x Common Hawthorn	Bad form, limited potential. Falling distance of playground and sheds. Almost completely ivy with limited live growth visible. Leans over public footpath	Approved
	04300	2 London Road	1 x White Fir	Fell; in decline, potential hazard of falling branches ( <i>also 21/04413/ATP to trim back only: approved 1/4/22</i> )	Refused 29/11/22
	04603	Maids Moreton Avenue [ <i>rear of Carisbrooke Ct</i> ]	T1 Lime T2 Beech T3 Horse Chestnut	Risk of failure Leaning over footpath In decline	Approved
2022	00463	Waglands Garden	(T1 Walnut  (T2 Holly  T3/T4 Cypress	Overall crown reduction by 2-3m to manage canopy weight and alleviate stress on cavities and stem decay.) Crown lift canopy by 2m and remove epicormic regeneration around the base.) Remove - dying/dead. All works are from a health and safety POV.	Approved
	01672	Foscott Way	T1 Ash	Suffering from Ash Die-back	Approved
	01735	4 Villiers Close	T1 & T2 Sycamore	Significant basal decay and possible damage to Listed wall	Approved
	02591	Waglands Garden	T1 Lime T2, T3 Cypress	Diseased and rotting at the base of the trunk Dead/dying	Approved (5-day notice)

<b>2022</b>	02857	University campus Station Road	T366 Cypress	Storm damage to crown, now compromised; safety risk to car park	Approved (5-day notice)
	02860	University campus Verney Park	T386 Ash T388 Ash T389 Ash	(All) Significant deadwood throughout crown. Remove to ground level	Approved
	03896	Waglands Garden	G1 Cypress	Root plate has failed and tree is leaning on another - fell for safety reasons as is next to visitor parking	Approved (5-day notice)
<b>2023</b>	01605	Maids Moreton Avenue	T1, 2 & 3 Hawthorns	Ivy-covered and leaning on fence of Highlands Road house. Fell to Ground. (Will probably regrow from stump)	Approved
	01608	Watchcroft Drive [Maids Moreton Avenue TPO]	T1 Sycamore	Major deadwood, suffering from sooty bark disease. Fell to ground	Approved

## Conservation Area trees (ATC)

Year	Appl. No.	Address	Trees affected	Reason	Decision
2020	03689	Hunter St car park	2 x Willow	Suffering from fungus and decay	Approved
	03994	Land adj Tingewick Rd, behind 22 Nelson St.	1 x Scots pine Pt conifer hedgerow	To allow formation of new access per approved application 19/00391/APP	Deemed approval (out of time)
2021	00477	Sandon House, Moreton Road	Plum, Laburnum and Cherry	Plum – stem decay; Laburnum & Cherry dying. No replanting planned at present	Approved
	00492	1 Bone Hill	Elder	The tree works are proposed to stop the influence of the tree(s) on the soil below building foundation level and provide long term stability.	Approved
	00730	Land rear of 2 Market Hill	2 x Wild Cherry; Sycamore; Ash	Fell to allow development (development approved 16/6/21)	Deemed approval (out of time)
	01523	11 Chandos Road	1 x Spruce	Roots damaging lawn	Approved
	02421	Adj. 1 Bone Hill	Ash	The tree works are proposed to stop the influence of the tree(s) on the soil below building foundation level and provide long term stability.	Approved
	02904	5 Moreton Road	1 x conifer	None given	Approved
	03115	7 Chandos Road	1 x larch	None given	Approved
	03123	Island behind 1 School Lane	1 x ash	Leaning over river, roots exposed by floodwaters; threat of collapse into houses	
	03652	1 Church Street	5 x conifers	None given	Approved
2022	00287	20 West Street	1 x holly	Too close to building	Approved
	00929	Chandos Park	Sycamore	Fell (storm damage) replacement scheduled	Approved
	02171	Candleford Court	Ash Elm Plum	Fell; decayed trunk Fell, dead stem leaning over river Fell, to avoid damage to wall	Approved
	02404	40 Well Street	Eucalyptus	Fell, excessive lean towards buildings and path (5-day notice)	Approved
	02499	37 Well Street	Ash Sycamore	Danger of falling on to Listed Buildings opposite Excessive shading of garden	Approved
	02980	55 Well Street	Mulberry	Old & stunted; to be removed to prevent damage to Listed Building and drainage pipes	Approved *
	03026	15 Chandos Road	5 x Himalayan Birch	Fell to ground	Approved
	03118	55 Well Street (tree is in Brooks Court)	Strawberry Tree	Fell to allow access from the highway to the rear garden	Approved *

\*NB: APP/ALB applications to renovate 55 Well Street were Refused.





	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
1	<b>Call-ins Accepted</b>					<b>Shire Councillors</b>						<b>Notes</b>				
2	<b>Year</b>	<b>Appln</b>	<b>Type</b>	<b>site</b>	<b>Proposal</b>	CC	SC	TM	HM	RS	WW	<b>date of BTC agenda</b>	<b>Later contact if any</b>	<b>Response</b>	<b>Committee Date</b>	<b>Decision</b>
3	2019	00902	ADP	Land adj 73 Moreton Road	Reserved matters - 13 houses	-	x	-	-	√	-	15/4/19 & 18/1/21	amended plans	Reduction to 12 houses - no change; RS call-in		
4																
5	<b>Undecided Call-ins submitted since Constitution changed July 2021</b>											<b>Notes</b>				
6	<b>Year</b>	<b>Appln</b>	<b>Type</b>	<b>site</b>	<b>Proposal</b>	<b>meeting</b>	<b>date called-in</b>	<b>acknowledged</b>	<b>Accepted?</b>	<b>Later contact if any</b>	<b>Response</b>	<b>Committee Date</b>	<b>Decision</b>			
7	2021	04886	APP	The Workshop, Tingewick Road	New shed & fence (Retrosp)	24-Jan	26-Jan				WW has called in; BTC request to speak at Committee		withdrawn 14/4/23; replaced by 23/01653/A PP			
8	2022	03472	APP	35 Lace Lane	New dormer (Retrosp) and HMO licence for 7						RS has called in		officer decision approved 10/2/23			

	A	B	C	D	E	F
1	Licence number where available		Address		residents, if stated	date issued
2	LC2020	10-60877	19	Bernardine's Way	5	17/12/2020
3	LC2021	01-62550		Garden House, Castle Street	13	01/04/2021
4	LC2019	05-37137	34	Fishers Field	4	22/02/2019
5	LC2019	01-032210	36	Fishers Field	4	05/02/2019
6	LC2021	11-71789	61	Fishers Field	5	18/08/2022
7	LC2019	013-2119	63	Fishers Field	5	18/01/2018
8	LC2019	01-32204	73	Fishers Field	4	04/02/2019
9	LC2020	01-47788	97	Fishers Field	5	08/07/2020
10	LC2019	01-32131	35	Lace Lane	8	25/02/2019
11	LC2019	10-41903	6	Market Hill	8	27/07/2020
12	LC2019	01-32176	3	Bryant Court, Market Hill	4	04/02/2019
13	LC2020	02-49941	2	Overn Avenue	5	09/11/2020
14	LC2020	05-52139	12	Portfield Close	5	14/07/2020
15	LC2019	01-31882	1	The Moorings, School Lane	3	02/02/2018
16	LC2019	05-37124	4	The Villas, Stratford Road	6	15/08/2019
17	LC2019	05-37139	5	The Villas, Stratford Road	6	15/08/2019
18	LC2019	07-39164		Lockmeadow Farm, Stratford Road		22/01/2020
19	LC2019	06-37669	25	Waine Close	7	12/03/2020
20	LC2019	01-32099	8	Well Street	5	05/02/2018
21	LC2020	07-53689		Ground floor, 25-26 West Street	17	13/10/2020
22	LC2019	07-40292	11	Western Avenue	5	10/11/2019
23						