

PLANNING COMMITTEE

Meeting – 17 October 2001

Present: Mr Dolan (Chairman), Mr Cole (Vice-Chairman)

Apologies for absence: Mrs Burry, Mr Cooper, Prof. Hogarth, Mr Jones, Dr Kennedy, Mrs Main, Mr Penfold, Mr Rigby, Mrs Simmonds, Mrs Temple and Mrs Woolveridge.

Dr Hollis and Mr Lidgate

38. MINUTES

The minutes of the meeting held on 19 September 2001 were confirmed and signed by the Chairman as a true and correct record.

39. OUTSIDE BODIES

The Committee received the report of Prof. Hogarth on attendance at a meeting of the South West Quadrant Group of the Local Authorities M25 Consortium which was held on 26 September 2001. The report referred, in particular, to the M25 rapid widening and possible spur to serve T5, the Central Railway Consortium, and air quality management.

40. APPLICATIONS AND PLANS

The following applications were determined as indicated below:-

Key to the following decisions:

ADV - Consent to Display Adverts; ARM - Approval of Reserved Matters; CI - Certificate of Lawfulness Issued; CON - Conservation Area Consent; D - Deferred; D(INF) - Deferred for Further Information; D(SV) - Deferred for Site Visits; D(PO) - Deferred for Planning Obligation; D(NEG) - Deferred for Negotiations; FCG - Consent for Tree Work; LBC - Listed Building Consent; OP - Outline Planning Permission; P - Application Permitted; R - Refused or Rejected; RC - Removal of Condition; TC - Temporary Consent; TP - Temporary Permission; ULBC - Unconditional Listed Building Consent; UP - Unconditional Permission; VG - Variation Granted; W - Application Withdrawn; DP - Deemed Permission.

(A) APPLICATIONS FOR CONSIDERATION UNDER PLANNING ONLY:-

<u>Plan Number & Applicant</u>	<u>Proposal</u>	<u>Decision</u>
1. 01/00743/FUL Stoke Park Ltd	Provision of first and second floor bedrooms within health pavilion. Erection of conservatory (winter garden) between health pavilion and indoor tennis courts. Construction of screen walls and folly to south terrace of pavilion. Construction of outdoor swimming pool/re-construction of temple. Stoke Poges Golf Club,	D(INF)

		Park Road, Stoke Poges.	
	RESOLVED that consideration of this application be deferred to enable the applicants to submit details of the financial assessments pertaining to the proposed development.		
2.	01/00832/LBC Mrs J. Kilroy-Silk	Listed Building Application for erection of two storey rear extension. Yewtree Cottage, Common Lane, Burnham	LBC
	RESOLVED that the District Planning Authority is minded to grant listed building consent subject to conditions to be formulated by the Head of Development Control and the concurrence of the Secretary of State.		
3.	01/00833/FUL Mrs J. Kilroy-Silk	Erection of two storey rear extension. Yewtree Cottage, Common Lane, Burnham.	P
	RESOLVED that planning permission be granted subject to conditions to be formulated by the Head of Development Control. (NB In being mindful to grant listed building consent and in granting planning permission in respect of applications 01/00832/LBC and 01/00833/FUL respectively, the Committee was mindful of the significant benefits that would result from bringing this vacant listed building into viable use. In addition, the Committee had regard to the care taken by the applicant to ensure that the detailing of the proposed extension matched that of the original building.)		
4.	01/00842/REM Chestnut Road Development	Demolition of existing dwelling. Erection of two detached dwellings and one detached bungalow with associated garaging. (Details: siting, design, external appearance - Outline being 99/00178/OUT). Land at Greystones & Land to the Rear Of, Chestnut Road, Beaconsfield.	D(NEG)
	RESOLVED that consideration of the application be deferred to enable negotiations with the applicant to re-site the proposed dwelling plot 3.		
5	01/00855/FUL Mr and Mrs M. Hatcher	Erection of detached garage/store. Hartwell House, 6 Hartwell Drive, Beaconsfield.	P
6.	01/00863/FUL Mr C. Broad	Demolition of dwelling and outbuildings. Erection of detached dwelling with integral double garage. 45 Reynolds Road, Beaconsfield.	P
7.	01/00942/FUL Mr A. Sangha	Change of use of single shop unit to two self-contained units retaining existing general store and providing new takeaway food unit. Extension to existing parking area. (Amendment to planning permission 01/00338/FUL). George Green Post Office,	P

		Uxbridge Road, George Green	
		Prior to consideration of this application, Peter Thompson, on behalf of the objectors, addressed the Committee.	
8.	01/00527/OUT J. N. Horner	Demolition of existing dwelling. Erection of two detached dwellings. (Outline Application). Heortnesse, Hollybush Hill, Stoke Poges	D
	RESOLVED that authority to grant outline planning permission be delegated to the Head of Development Control subject to the comments of the Highway Authority.		
	01/00700/REM W. E. Black Ltd	Erection of two detached dwellings with integral double garages. Construction of vehicular access. (Details: Outline being 99/0334/OUT). Land Rear of 40 Dukes Wood Drive & 21-27, Birchdale, Gerrards Cross.	D
	RESOLVED that authority to approve this application be delegated to the Head of Development Control subject to the receipt of a satisfactory landscaping scheme		
10	01/00779/FUL Mr R. Takhar	Alterations including three storey addition to main hotel with basement below. Demolition of existing and erection of function wing and two storey bedroom annexe. Construction of new access road onto Wexham Park Lane and provision of additional car parking. Furze Hotel, Uxbridge Road, George Green.	P
	RESOLVED that planning permission be granted subject to conditions to be formulated by the Head of Development Control. (NB In granting planning permission, the Committee concluded that the potential impact of the proposed development on the Green Belt was minimal, given the nature of the existing built development on the site and the form of the extant planning permission to which the previous applications S/93/0725/FF and 00/01128/VC related.)		
11.	01/00780/LBC Mr R. Takhar	Listed Building Application for alterations including three storey addition to main hotel with basement below. Demolition of existing and erection of function wing and two storey bedroom annexe. Construction of new access road onto Wexham Park Lane and provision of additional car parking. Furze Hotel, Uxbridge Road, George Green.	LBC
12	01/00858/CON South Bucks District Council	Conservation Area Consent for: Demolition of dwellings. Bridge Villa & Sunnyside, River Road, Taplow.	D
	RESOLVED that subject to the views of English Heritage, the application for conservation area consent be referred to the Secretary of State for determination		
13	01/00864/FUL	Demolition of the Penthouse and removal of yard and associated workshops. Erection of 4	P

	Nationcrest PLC	No. detached dwellings with integral garages. Construction of vehicular access. Land at 1-3 The Penthouse and Rear of 1-5 Astonville, Bala and Applegarth, Beaconsfield Road, Farnham Common	
14	01/00874/VC Tesco Stores Ltd	Variation of condition 2 of planning permission S/96/0768/00 to extend the time period to submit reserved matters by a further 18 months. Land at and Adjacent to - (including the Airspace over the Chiltern Railway Lines and Land to West of Railway Station), Packhorse Road, Gerrards Cross	VG
15.	01/00895/FUL Banner Homes Ltd	Demolition of dwellings. Erection of 3 No. detached dwellings with garages. 28 and 30, Howards Wood Drive, Gerrards Cross	D(PO)
RESOLVED that authority to approve the application be delegated to the Head of Development Control subject to the completion of a legal agreement between the County Council and the applicants to secure the necessary highway improvements			
16.	01/00944/REM Octagon Developments Ltd	Demolition of existing dwelling. Erection of two detached dwellings with rear dormer windows and integral garages. Construction of vehicular access. (Details: Outline being 01/00216/OUT). White Lodge, 21 Sandelswood End, Beaconsfield	ARM
NB. Mrs Main declared an interest in this application and left the meeting during consideration thereof)			
17.	01/01010/REM Octagon Development Ltd	Demolition of existing dwelling. Erection of two detached dwellings with rear dormer windows and integral garages. (Details: Outline being 01/00216/OUT). White Lodge, 21 Sandelswood End, Beaconsfield	ARM
18.	01/01129/FUL Mr W. Baars	Erection of two storey front extension and part single storey/part two storey rear extension. (Amendment to planning permission 01/00319/FUL). 1 Baring Crescent, Beaconsfield.	D(SV)

B. APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY

The Committee received a list of applications determined by the Head of Development Control under delegated authority

41. OBJECTION TO THE SOUTH BUCKS DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 30, 2001: TREES ON LAND AT REAR OF NO. 1, UPPER ROAD, DENHAM

The Committee considered the report of the Director of Services which presented objections raised to this Order. At its meeting held on 19 September 2001, the Planning Committee had considered this report and deferred it pending a site visit.

The Order was made as a result of a planning application being submitted in respect of land to the rear of 1 Upper Road, Denham. It was perceived at the time that there was a threat to trees on the site that were considered worthy of the Preservation Order. A letter of objection was received from Mr Graham Gammell, architect and agent for the owners of 1 Upper Road, Denham. The Order related to two trees, a Fir Tree (Oriental Spruce - *Picea orientalis*) and a Birch Tree.

Some members felt that these trees did not make enough contribution to the landscape amenity of the area to warrant confirmation of the Order and agreed with the objections raised.

RESOLVED that the Order be not confirmed.

42. OBJECTION TO THE SOUTH BUCKS DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 22, 2001; TREES ON LAND AT FOREST VIEW, HAWTHORN LANE, FARNHAM COMMON

The Committee considered the report of the Director of Services which presented objections raised to this Order by Mr Paul Mann, the owner of Forest View, Hawthorn Lane, Farnham Common. The Order was made as a result of development proposals being put forward in respect of proposed extensions and a new garage at Forest View. The tree consultant recommended that the Order should be made in the interests of public amenity.

The objection was raised in respect of the existence of the Order at the property, as opposed to the suitability of the trees themselves, although some comment was made in respect of this as well.

The garden of this property surrounded the house and gave areas that were in full sunshine during the day, although other parts of the garden were shaded by the presence of the trees. However, it was considered that the trees were in proportion to the size of the garden and most of the garden enjoyed sunshine for most of the day.

The Order did not prevent the routine maintenance of trees though it did prevent the indiscriminate topping and lopping of trees of particular amenity value. The trees in question had value as visual amenity features, whether as trees fronting the road or providing a valuable screen between properties. Their retention and proper protection were important to maintaining the wooded feel of this part of Farnham Common and was in line with Council policy.

RESOLVED that the Order be confirmed without modification.

43. OBJECTION TO THE SOUTH BUCKS DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 33, 2001; TREES ON LAND AT AND ADJOINING COPPER DEAN, LAYTERS WAY, GERRARDS CROSS

The Committee considered the report of the Director of Services which presented objections raised to this Order by Mr John Pocock, the owner of Copper Dean, 18 Layters Way, Gerrards Cross. The Order was made as a result of development proposals being put forward in respect of an extension to the house at 18 Layters Way, Gerrards Cross. As the original proposals provided insufficient detail regarding the trees on site, the tree consultant recommended that an Order be made in the interest of public amenity.

The objection raised to this Order related specifically to the Norway Spruce (T2). T2 was one of a pair of Norway Spruces of about the same age and seemingly planted at the same time. Since

the trees had grown as a pair, the two of them were mutually one sided on the side they met. The removal of one would leave the other one sided and unsightly.

The tree was growing adjacent to the entrance drive of Copper Dean. The drive was made up of a tarmac surface that was becoming old and was showing signs of cracking. Whereas this might be attributed to the growth of some of the tree roots, there was no evidence to demonstrate this, and cracking occurred in older tarmac drives through ordinary use. It was alleged that the tree had blocked up the sewage system though this had not been documented or supported by evidence. Nonetheless, assuming a problem existed, perhaps through tree roots exploiting a crack in the pipe, the solution would not be to fell the tree as this was not in fact necessary.

The trees which were the subject of this order, were important features of visual amenity that made a valuable contribution to the landscape of the area. It was considered that these trees were suitable for their setting and the position they were in. Furthermore, the removal of one or both of the spruces would be detrimental to the character of the area.

RESOLVED that the Order be confirmed with modification, changing the status of T1 and T2 to a group G1.

44. OBJECTION TO THE SOUTH BUCKS DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 16, 2001; LIME TREE ON LAND AT REAR OF FAIR OAK, BULSTRODE WAY, GERRARDS CROSS

The Committee received the report of the Director of Services which presented objections raised to this Order by Ms T. Scott, the owner of Haye Cottage, 25 Bulstrode Way, Gerrards Cross. The Order was made as a result of development proposals being put forward in respect of an extension to the house at 25 Bulstrode Way, Gerrards Cross. As the proposals appeared to have an effect on the Lime tree adjacent to the site, the tree consultant recommended that an Order should be made in the interest of public amenity.

The objection raised to this Order had been made in respect of the proximity of the Lime tree (T1) to the house, concerns for safety and the lack of maintenance of the Lime tree. The objector also raised the issue of the recently granted planning permission and the problem caused by the tree to the building of the extension.

The tree was set back slightly from the rear and to the side of the house. The tips of some branches were coming close to the corner of the house, but this was not considered to be a threat to the property. Branches could be pruned back as part of the routine maintenance of the house to overcome this problem, which would still retain the overall amenity of the tree. Similarly the shadow thrown by this tree caused the side of the house to be in shade but this was not significant in terms of the amenity areas of the house.

The safety of trees in close proximity to houses was a common cause for concern. In this instance the Lime appeared to be growing normally and healthily. It was not possible to ever be completely certain that a tree would not fall, but there was no evidence that this would happen in the foreseeable future.

The owner of the tree could not be forced to carry out routine maintenance to a tree, and with the confirmation of the order, formal application and consent would be required before being able to do so. However, anybody could make an application for felling or pruning works to a protected tree, including neighbours affected by overhanging branches. With regard to the recently granted planning permission, the Lime was cited as a source of screening between properties and it was felt that the proposed extension would only be acceptable if the tree was retained.

RESOLVED that the Order be confirmed without modification.

45. THE GREEN MAN, BEACONSFIELD ROAD, FARNHAM ROYAL

The Director of Services submitted the report which sought authority for action against various breaches of planning and listed building control at the Green Man.

The Green Man, a Grade II listed building, was currently being used as a bed and breakfast establishment, in breach of planning control and listed building control. With regard to the use as bed and breakfast, this use was the subject of a retrospective planning application, which had been withdrawn on 17 August 2001 shortly before it was to be refused under delegated powers.

The Buckinghamshire and Milton Keynes Fire Authority had advised the occupants that, for their bed and breakfast use to be acceptable, numerous internal alterations to the building were required on fire safety grounds. As the use was already being carried out, the Fire Authority had issued a notice requiring these alterations to be carried out by 24 November. The Conservation and Design Officer considered that these works would be unacceptable in this context, and that listed building consent would not be granted for them.

A revised application design to overcome the limitations of the original application had recently been submitted, though this was not considered to overcome the objections. The Head of Legal Services had written to the agents for the occupiers of the Green Man twice asking for the use to be discontinued, but no response had been received.

Recent inspection had shown that, with regard to listed building issues, a lean-to attached to the Green Man had been demolished, a satellite dish had been installed on the roof of the premises and there were two swan-necked lights which illuminated the hanging advertisement at the front of the Green Man.

The Head of Legal Services advised that the lean-to had nearly been reconstructed.

RESOLVED that

1. a planning enforcement notice be issued and served under Section 172 of the Town and Country Planning Act 1990;
2. a stop notice be served under Section 183 of the Town and Country Planning Act 1990: in respect of the mixed use of the Green Man, Beaconsfield Road, Farnham Royal for residential purposes and for bed and breakfast accommodation, requiring the cessation of the bed and breakfast use, and that if necessary legal proceedings be commenced to secure the discontinuance of this use.
3. listed building enforcement notices should be issued under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of:
 - o the installation of a satellite dish aerial
 - o the installation of swan-necked lights
4. a site visit be held when the planning application is to be considered by the Committee.

46. FARNHAM PARK, FARNHAM PARK LANE, FARNHAM ROYAL

The Committee considered the report of the Director of Services which sought authority to issue an Enforcement Notice in relation to the construction of an earth bund at Farnham Park Farm.

The occupier of the land submitted a planning application for the construction of an earth bund at Farnham Park Farm and construction works commenced during the consideration of the planning application. Planning permission was refused but it was subsequently revealed that the earth bund was still present on the site and had been constructed in full.

It was felt that the earth bund, by reason of its size, height and prominent location constituted an incongruous, dominant and visually obtrusive feature which was seriously detrimental to the amenities of the locality and which failed to preserve the openness of the Green Belt. As such, the development was contrary to policies GB1 and EP3 of the South Bucks District Local Plan

(adopted March 1999).

RESOLVED that an Enforcement Notice be issued and served pursuant to Section 172 of the Town and Country Planning Act 1990 in respect of the unauthorised construction of an earth bund at Farnham Park Farm, Farnham Park Lane, Farnham Royal and that if necessary legal proceedings be taken to curtail this breach of planning control.

47. CONTRAVENTIONS OF PLANNING CONTROL - ENFORCEMENT NOTICE PROGRESS REPORT

The Committee received the progress report which set out the up-to-date situation relating to Enforcement Notices. The Head of Legal Services gave an update:

Willow Tree Farm, Swallow Street, Iver - there was an item for consideration in Part II of the Agenda; and
74 Oxford Road, Denham - the next course of action would be prosecution.

48. PLANNING APPEALS

A. Appeals Lodged

1. Planning Appeals		
(a)	01/00682/OUT L. Pike	Erection of detached dwelling. (Outline Application) at Land adjacent to 6 Green Lane Court, Green Lane, Burnham.
(b)	01/09063/TPO Mr and Mrs A. Tennant	Removal of Blue Atlas Cedar (T1). (SBDC TPO No. 32, 1999) at Meadow View, 5 Bentley Park, Burnham.
(c)	01/00788/FUL Mr J. G. Porter	Erection of single storey rear extension. Provision of front dormer window and extension to rear dormer window at 6 Sandelswood End, Beaconsfield.
(d)	01/00680/FUL Mr and Mrs Sage	Demolition of existing dwelling and erection of replacement 5 bedroomed dwelling at Davlor, Rowley Lane, Wexham.

B. Appeal Withdrawn

Planning Appeals		
(a)	01/00646/FUL Banner Homes Limited	Demolition of dwelling. Erection of block of 3 No. town houses and block of 3 No. garages. Construction of vehicular access at 2 Ledborough Lane, Beaconsfield.

C. Appeal Decisions

Note: The letter(s) shown after the decision indicate:-

CO - Committee decision to refuse permission on officer recommendation

CC - Committee decision to refuse permission contrary to officer recommendation

D - Delegated officer decision to refuse permission
 ND - Appeal against non-determination of application

Planning Appeals		
(a)	01/00364/ADV Sainsbury's Supermarkets Ltd.	Internally illuminated three sided store totem sign at Sainsbury's, Lake End Road, Taplow, Burnham. DISMISSED - D
(b)	01/00364/ADV Sainsbury's Supermarkets Ltd	Internally illuminated three sided store totem sign at Sainsbury's, Lake End Road, Taplow, Burnham. DISMISSED - D
(c)	00/01186/FUL Mr N. Brown	Construction of two front dormer windows at Meadow View, Oxford Road, Gerrards Cross, Denham. ALLOWED - D
(d)	00/00707/FUL Mr D. Cox	Use of land for parking of one skip lorry and storage of up to 10 empty skips at Beech Tree Farm, Rowley Lane, Wexham. ALLOWED - CO
(e)	00/01110/FUL Westage Developments	Erection of single storey rear extension at 4B High Street, Burnham. DISMISSED - D

49. SITE VISITS

The Chairman agreed that this matter be taken as an urgent item in order to implement the policy before the next meeting of the Committee.

The Chairman reminded Members that the Best Value Inspector had commended the Council on its policy of visiting sites which had previously benefited from planning permission. It had, however, been a number of months since any of these visits had occurred, owing to the high number of site visits required.

In an attempt to reduce the number of site visits undertaken by the Committee, and to enable the Committee to re-visit previous planning decisions, it was recommended that should a Councillor wish a site visit to be undertaken, they contact the Chairman or Vice-Chairman of the Committee who will visit the site with them and agree whether a site visit was necessary.

RESOLVED that in order for a Committee site visit to be agreed, the Councillor concerned should visit the site with the Chairman or Vice-Chairman of the Committee who will then decide whether a Committee site visit should go ahead.

50. EXCLUSION OF THE PRESS AND PUBLIC

The Chairman to move the following resolutions:-

"That under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act"

Willow Tree Farm, Swallow Street, Iver

(Paragraphs 12(a) - Legal Proceedings)

The Committee agreed to support the application to seek permission to Appeal to the House of Lords and contact Dominic Grieve MP expressing concern at the outcome of the decision of the Court of Appeal.