

PLANNING COMMITTEE

Meeting – 12 December 2001

Present: Mr Dolan (Chairman),

Mr Bowater, Mrs Burry, Mr Cooper, Prof Hogarth, Dr Hollis, Mr Jones, Dr Kennedy, Mr Lidgate, Mrs Main, Mr Penfold, Mr Rigby, Mrs Simmonds, Mrs Temple and Mrs Woolveridge

Apology for absence: Mr Cole
The Chairman advised that Mr Cole was currently recovering from an operation and Members wished that their best wishes for a speedy recovery be expressed to Mr Cole.

63. MINUTES

The minutes of the meeting held on 14 November 2001 were confirmed and signed by the Chairman as a true and correct record.

64. OUTSIDE BODIES

Mrs Temple submitted a report about the Lea North Mineral Site after attending a meeting of the Liaison Committee on 30 November. With regard to the offer of a grant for the provision of barge facilities to remove aggregate, this had been reduced to 75%, as an alternative preferred scheme had been identified to receive the 100% grant. The operators would not proceed on this basis. The preferred scheme was on wider canals which could accommodate larger barges transporting larger loads. Members expressed concern about this and considered that rather than the capacity of the nearest canal, the 100% grant should go to the scheme which aimed to take traffic off the busiest roads. It was agreed that a letter be sent to the appropriate Government department and Dominic Grieve MP to raise this issue.

65. 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ULBC - Unconditional Listed Building Consent; UP - Unconditional Permission; VG - Variation Granted; W - Application Withdrawn; DP - Deemed Permission.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:-

	Plan Number & Applicant	Proposal	Decision
1.	01/00543/OUT Arlington Property Developments Ltd.	Redevelopment of factory site to Business Park with improved access from Oxford Road and footbridge across Braybourne Close. (Outline Application). (That part being within	D(PO)

		South Bucks District). Sanderson Site, Oxford Road, Denham.	
<p>RESOLVED that authority to approve the application be delegated to the Head of Development Control subject to the applicant entering into legal agreements as set out in the report and the receipt of an additional plan clearly identifying the existing security building which it is proposed to retain on a temporary basis.</p>			
2.	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, Park Road, Stoke Poges.	R
<p>In accordance with Standing Order 28, a recorded vote was requested on this application.</p> <p>For an amendment for conditional approval of this application</p>			
	For the amendment	Dr Kennedy and Mr Penfold	
	Against the amendment	Mr Bowater, Mrs Burry, Mr Cooper, Mr Dolan, Dr Hollis, Mr Jones, Mr Lidgate, Mrs Main, Mr Rigby, Mrs Simmonds, Mrs Temple and Mrs Woolveridge	
<p>The amendment was lost and the motion to refuse the application for the reasons as set out in the report was put to the Committee</p>			
	For the motion	Mr Bowater, Mrs Burry, Mr Cooper, Mr Dolan, Dr Hollis, Mr Jones, Mr Lidgate, Mrs Main, Mr Rigby, Mrs Simmonds, Mrs Temple and Mrs Woolveridge	
	Against the motion	Dr Kennedy and Mr Penfold	
<p>(NB: Dr Kennedy declared a non-pecuniary interest in this application as Stoke Park had been the venue of the Chairman's reception)</p>			
3.	01/00762/FUL Lavender Homes Ltd	Demolition of existing and erection of 7 two bedroom dwelling units with ancillary access and parking facilities. Amerden Pond, Amerden Lane, Taplow.	D.
<p>RESOLVED that planning permission be granted subject to conditions to be formulated by the Head of Development Control.</p> <p>(Having undertaken an inspection of the application site, the Committee considered that a significant visual improvement could be achieved for this part of the Metropolitan Green Belt if planning permission was granted for the replacement of the existing fire-damaged building and related outbuildings. The</p>			

Committee was mindful also of the fact that the principal building currently occupying the site benefited from a lawful and certified use as six dwellings, and that the Highway Authority had withdrawn its objection to the proposed development on that basis. Accordingly, it was concluded that permission could be reasonably granted without prejudice to Green Belt policy or local conditions of highway safety.)

4.	01/01046/OUT South Bucks District Council	Redevelopment of Bells Hill Shopping Centre with new village centre incorporating shops, library, medical practice and residential accommodation. (Outline Application) Bells Hill Shopping Centre, Bells Hill Green, Stoke Poges.	OP
5.	01/01184/FUL Marlow Building Co. Ltd	Demolition of existing dwelling. Erection of three detached dwellings with integral garages. Construction of vehicular access. Cheam, Brownswood Road, Beaconsfield.	P
6	01/01260/FUL M & M Autos	Demolition of all existing commercial buildings and construction of new single storey building comprising car repair garage, two workshops, store and office with ancillary car parking and resurfacing. 8 Slough Road, Iver.	P
7.	SBD/313/87 Mr & Mrs R R Bridges	Deed of Variation attached to planning permission for erection of an agricultural dwellinghouse, together with a dual purpose agricultural building to store fodder and yard 100 cattle, with access from Fulmer Lane. Land at Home Farm, St Huberts Lane, Gerrards Cross.	D(SV)
8.	01/00975/FUL Broads Properties Ltd	Conversion, alteration and extension of agricultural barns to form three residential units. Creation of new vehicular access. Brook End Farm, Dropmore Road, Burnham.	D(SV)
9.	01/01172/FUL Elite Homes Ltd	Erection of two detached dwellings and two detached garages. Construction of vehicular access. Land rear of 7, 9 and 11 North Park, Iver.	P
10.	01/01195/LBC Mr C Broad	Listed Building Application for conversion, alteration and extension of agricultural barns to form three residential units. Brook End Farm, Dropmore Road, Burnham.	D(SV)
11.	01/01231/FUL Mr & Mrs G Thomas	Retrospective application for erection of two storey side extension and decking at rear. (Amendment to Planning Permission 00/01031/FUL).	P

B. APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY

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

66. OBJECTION TO TREE PRESERVATION ORDER NO. 37, 2001: WOODLAND AT AND ADJOINING NO. 37 WOODSIDE ROAD, BEACONSFIELD

The Committee considered the report of the Director of Services which presented objections to the above TPO by the owner of the property at 35A Woodside Road, Beaconsfield. The Order was made as a result of enquiries concerning the potential development in respect of land at the rear of 37 Woodside Road, Beaconsfield. It was perceived at the time that there was a threat to the trees on the site which were considered worthy of a preservation order. The objector opposed the inclusion of these trees on the grounds that it was unnecessary and detrimental to the ongoing management of the trees in this part of their garden by creating an unnecessary layer of bureaucracy.

The Order had the effect of preventing unnecessary works being undertaken to the trees. The protection of the trees was desirable because of their intrinsic beauty. This woodland was a feature of some importance to local visual amenity and by placing the Order on the trees the protection of this amenity was assured for the future.

RESOLVED that the Order be confirmed without modification.

67. OBJECTION TO TREE PRESERVATION ORDER NO. 39, 2001: LAND ADJOINING WHITE HART MEADOW, BEACONSFIELD.

The Committee considered the report of the Director of Services which presented objections raised to this TPO by the architect acting for the owner of the property at 143 Station Road, Beaconsfield. The Order was made as a result of a planning application being submitted in respect of land to the rear of 143 Station Road, Beaconsfield; which did not show any trees on the plans. The objector expressed concern that all eleven of the Lime trees had been included in the Order and the application was for the removal of just two of those trees to enable access to a new bungalow. Furthermore, a suitable access could be gained by just removing one tree and it was requested that consideration be given to the exclusion of this tree from the Order.

It was considered that the construction of the driveway would necessitate the removal of up to four of the trees. It appeared that two of the trees would certainly have to be removed outright, with a strong change of resultant root damage to the other two trees caused by the excavation of the drive.

RESOLVED that the Order be confirmed without modification.

68. OBJECTION TO TREE PRESERVATION ORDER NO. 40, 2001: LAND AT NO. 1 FOLEY CLOSE, SEELEYS ESTATE, BEACONSFIELD

The Director of Services submitted a report which presented objections raised to this TPO by the owner of 1 Foley Close, Seeleys Estate, Beaconsfield. This Order was made as a result of a planning application being submitted in respect of land at 1 Foley Close, Beaconsfield. It was perceived at the time that there was a threat to the Cherry tree on the site which was considered worthy of a preservation order. The objector opposed the Order and advised that there had never been the necessity or intention to either fell the tree in question or to subject it to major lopping or pruning.

The Council's Arboriculturalist examined the tree in relation to the proposals and concluding that if the extension was to be built, the resultant damage to the tree would cause sufficient damage to cause the demise of the tree, leading ultimately to the premature death of the tree.

RESOLVED that the Order be confirmed without modification.

69. CONTRAVENTION OF PLANNING CONTROL, SEABURROW FARM, 256 SWALLOW STREET, IVER

The Committee considered the report of the Director of Services which sought authority to issue two Enforcement Notices in relation to the use of Seaburrow Farm for commercial purposes namely the stabling of non-agricultural horses the unauthorised stationing of a portable building and a mobile home and the erection of a building without planning permission.

The reasons for expediency for the Enforcement Notice were that the site lay within the Metropolitan Green Belt as described in the adopted Buckinghamshire County Structure Plan 1991-2011, and the South Bucks District Local Plan (adopted March 1999), wherein there was a presumption against the erection of new buildings or changes of use of existing buildings or land, other than for a limited number of specified purposes or except in very special circumstances. The unauthorised stationing of a caravan and portable building and the use of buildings and associated open land for commercial purposes and for the keeping of horses, did not comprise one of the specified exceptions and accordingly constituted an inappropriate form of development within the Metropolitan Green Belt. In the opinion of the District Planning Authority, there were no very special circumstances sufficient to warrant a reversal of central government and local plan policies for the Green Belt. Accordingly, the development was contrary to Policies GB1 and GB3 of the adopted Structure Plan, and policies GB1, GB4 and GB9 of the adopted District Local Plan.

The Head of Legal Services advised that the landowners agent had offered to secure compliance with several of the breaches and would also submit a planning application by 18 January 2002. It was recommended that authority to issue the Enforcement Notice should be delegated to Officers. This would enable Officers to check whether compliance had been secured and/or if any application/s had been submitted and then, if necessary, issue the notice (with any amendments considered necessary).

RESOLVED that the Head of Legal Services be delegated authority to issue and serve two Enforcement Notices (if and amended as necessary) pursuant to Section 172 of the Town and Country Planning Act 1990 in respect of the following matters and that if necessary legal proceedings be taken to curtail these breaches of planning control;

1. The unauthorised change of use of land at Seaburrow Farm from an agricultural use to a mixed use including use for commercial purposes and commercial storage, the stabling of horses for non-agricultural purposes, and the stationing of a portable building and a mobile home/caravan; and
2. The unauthorised erection of a building at Seaburrow Farm.

70. CONTRAVENTION OF PLANNING CONTROL – KCA GARAGE, UXBRIDGE ROAD, WEXHAM

The Head of Legal Services reported that this report had been withdrawn as the contravention of planning control was no longer in existence.

71. 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.

72.

PLANNING APPEALS

The Committee received details of the planning appeals lodged and noted the following 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

(1) Planning Appeals

(a)	00/01138/FUL Mrs J Nicholson	Single storey rear extension and extension to roof incorporating rear dormer window at 33 Lower Road, Denham DISMISSED – D
(b)	00/01167/FUL Mrs J Nicholson	Erection of single rear extension and extension to roof to provide additional accommodation in roofspace at 33 Lower Road, Denham DISMISSED – D
(c)	01/00519/FUL Mrs J Nicholson	Demolition of existing dwelling. Erection of two detached dwellings at 33 Lower Road, Denham. DISMISSED – D
(d)	01/00132/FUL James and Andrew Smith	Change of use of part of land to site for residential caravans at The Warren, Rowley Lane, Wexham. DISMISSED – CO
(e)	01/00222/FUL Country and Metropolitan Homes PLC	Demolition of existing dwelling. Erection of two detached dwellings with integral double garages. Construction of vehicular access to Plot 1 at Little Pockfords, Woodlands, Gerrards Cross. ALLOWED SUBJECT TO CONDITIONS – D
(f)	01/00200/FUL Banner Homes Limited	Demolition of existing dwellings. Erection of 4 No. detached dwellings with garages at 28 and 30 Howards Wood Drive, Gerrards Cross. ALLOWED SUBJECT TO CONDITIONS – D
(g)	01/00380/FUL Mr & Mrs R Farrell	Erection of single storey side extension incorporating conservatory, first floor rear extension and roof over existing single storey side extension at 9 Harcourt Road, Dorney Reach.

		<u>PART ALLOWED – D</u>
		<u>PART DISMISSED</u>
(h)	00/01339/FUL Mr and Mrs Adam	Erection of front porch, single storey extension between house and garage, part single storey/part two storey rear extension incorporating dormer window at 49 Wood Lane Close, Iver. <u>ALLOWED - D</u>
(i)	01/00398/FUL 'Indian Summer'	Erection of conservatory at 96 Oxford Road, Denham. <u>DISMISSED – D</u> c/o T Allen
(j)	01/00445/FUL Mr R Wise	Erection of rear conservatory at 78 Priory Close, Denham. <u>DISMISSED – D</u>

(2) Enforcement Notice Appeals

(a)	C/01/08711/EE City Trading Ltd.	Without planning permission the use of the land for the sale and display of Motor vehicles at land and part of ground floor, 142-144 Swallow Street, Iver. <u>DISMISSED – ENFORCEMENT NOTICE IS UPHOLD WITH CORRECTION.</u>
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73. TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 106, OUTSTANDING LEGAL AGREEMENTS

The Committee noted the current position for those applications currently pending conclusion of a legal agreement by the authority.

74. MOTORWAY SERVICE AREAS – PUBLIC INQUIRY

The Chairman agreed that this item should be considered as an urgent in order that Members received the current position regarding the Public Inquiry.

The Head of Legal Services reported the situation regarding the MSA Public Inquiry. The inquiry would be considering six sites; three on the M4, one on the M25 and two on the M40. It was noted that the Warren Farm site would no longer be considered by this inquiry. Owing to the delay in the Highways Agency producing the necessary data, the inquiry would be commencing on 5 November 2002. It was reported that a suitable venue had not yet been found. The Planning Inspectorate had classed the inquiry as six minor inquiries and thus the local authorities would have to bear the costs of the venue and Programme Officer. The Head of Legal Services had already written to the Planning Inspectorate requesting that the inquiry should be classed as a major inquiry as it was likely to last up approximately a year. A major inquiry would then mean that the responsibility of providing the venue and Programme

Officer would be with the Inspectorate; as applied at the Heathrow Terminal 5 Public Inquiry.

RESOLVED that the Portfolio Holder – Environment writes to Dominic Grieve and other MPs affected, urging support for the MSA Public Inquiry to be classed as a major inquiry.

75. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act.

Minutes

(Paragraph 12(a) - Legal Proceedings).

The minutes of the meeting held on 14 November 2001 were agreed.

The Warren, Rowley Lane, Wexham

(Paragraph 12(a) – Legal Proceedings)

Agreed to instigate committal proceedings for failure to comply with the Orders requiring the cessation of the use for residential purposes of the land and buildings at The Warren, Rowley Lane, Wexham

Gladwins Wood, Pinstone Way, Denham

(Paragraph 12(a) – Legal Proceedings)

Agreed to delegate authority to amend the enforcement notice to the Head of Legal Services.