

# DEVELOPMENT MANAGEMENT COMMITTEE

23 October, 2014

**PRESENT:** Councillor Mrs J Blake (Chairman); Councillors Adams, Bond, Mrs Brandis, Cashman, Fealey (Vice Chairman), Mrs Polhill (ex-officio), Rand, Mrs Renshell, Miss Reynolds, Richards and Mrs J Ward (in place of Mrs F Roberts). Councillors N Blake, Hawkett and Monger attended also.

**APOLOGY:** Councillor Mrs F Roberts.

## 1. MINUTES

RESOLVED –

That the Minutes of the meeting held on 2 October, 2014 be approved as a correct record.

## 2. MATTER WITHDRAWN

### (a) 14/02060/APP, 100-102 High Street, Winslow

Change of use of A1 (retail) to two residential units including two storey rear extension

Report withdrawn by the applicant.

### (b) 14/01603/APP, Broomhill House, Stoke Lane, Great Brickhill

Demolition of a section of existing front boundary wall. Creation of new vehicular access including splayed set back with flanking walls and boarded gates; erection of double detached garage and provision of a driveway; construction of new walls enclosing existing garage access and parking spaces

Report withdrawn by officers as the application could now be determined under delegated powers due to Great Brickhill Parish Council failing to register to speak on the application.

### (c) 14/01604/ALB, Broomhill House, Stoke Lane, Great Brickhill

Demolition of approximately 8 metres of existing front boundary wall and felling of one tree, construction of new vehicular access including splayed set back with flanking walls and boarded gates, new drive to proposed detached double garage. Construction of new walls enclosing existing garage access and parking space.

Report withdrawn by officers as the application could now be determined under delegated powers due to Great Brickhill Parish Council failing to register to speak on the application.

### (d) 14/00346/APP, Cowpasture Farm, Drayton Road, Newton Longville

Variation of Condition 1 of 12/02430/APP to extend temporary period (10 metre mast only).

Report withdrawn by officers as the application could now be determined under delegated powers due to Newton Longville Parish Council failing to register to speak on the application.

### 3. APPLICATIONS TO BE DETERMINED

#### Generally

That determination of the following applications be deferred for the reasons indicated:-

**(a) 14/01908/APP, Land Off Summerleys, Edlesborough**

Erection of one detached dwelling with garage and formation of new access.

That the Development Management Manager be authorised to determine the application indicated above subject to the satisfactory receipt of amended plans to reduce the pitch of the roof of the garage. Any permission given to also be subject to such conditions as considered appropriate, or if agreement cannot be reached, the application to be refused for such reasons as appropriate.

**(b) 14/02382/APP, 23 Station Road, Winslow**

Demolition of outbuildings, partial demolition of the existing house (No.23) and its refurbishment to create a single house, the construction of 10 No. two storey houses with associated road works, parking and landscaping.

That the Development Management Manager be authorised to determine the application indicated above subject to the satisfactory completion of a Legal Agreement to secure financial contributions towards education and off-site recreation. Any permission given to be subject to such conditions as considered appropriate, or if agreement cannot be reached, the application to be refused for such reasons as appropriate.

*NOTE: The Head of Planning reported that, in total, 78 additional letters of representation had been received to the application. This was taken into account and duly considered before the above decision was made.*

### 4. OTHER PLANNING MATTERS

**TPO No. 2 2014 (14/01047/ATC), Objection to Tree Preservation Order, right hand (east) corner to front garden of April Cottage, 25 Spring Lane, Great Horwood**

Members received a report on an objection to a Tree Preservation Order made on 21 May 2014 on the westernmost Norway Maple in the front garden to April Cottage, 25 Spring Lane, Great Horwood.

The Tree Preservation Order had been served as a result of the westernmost of two large Acer Saccharinum (Silver or Norway Maple) trees on the side boundary of the site being assessed as being prominent in the street scene, having a good form and that its early spring and autumn foliage was attractive. The Tree Officer had confirmed that there were no objections to the pollarding of the easternmost of the two trees nor to its removal, should such a proposal be made.

An objection had been received from the owner of 25 Spring Lane, who wished to pollard both trees, a copy of which was attached to the Committee report. The Tree Working Party had visited the site on 24 September 2014 to inspect the trees and considered it important that the remaining tree should be preserved.

The Development Management Committee was now asked to consider whether the Order should be confirmed in the light of the Trees Working Party recommendations.

After due consideration, it was

RESOLVED –

That the Tree Preservation Order No. 2 2014 be confirmed.

**TPO No. 3 2014, Objection to Tree Preservation Order, land to rear of Freshfields, Stock Lane, Whaddon**

Members received a report on objections to a Tree Preservation Order made on 29 May 2014. The order related to the potential threat to a walnut tree posed by the development of the adjacent site under application 14/01085/APP. The tree stood on a small parcel of land on which there was also a group of timber garages/stores. The ownership of both was unclear and it was understood from the owner of Freshfields that the land was not registered. The tree's branches overhung adjoining properties.

The Tree Officer considered that the walnut tree was of good form and large stature, and that it stood prominently by a public footpath. Loss of the tree would significantly harm the local environment and its enjoyment by the public. It also came out well above the benchmark.

Objection had been received from the owner of Freshfields and by the Chair of the Whaddon Jubilee Hall Trustees and Management Committee, who wished to remove the dominant eastern stem of the tree, or to poll it. The Tree Officer had commented that this would damage the appearance of the tree however, a lighter prune of the outer branches to take some weight off the tree would be supported.

The Tree Working Party had visited the site on 24 September 2014 to inspect the trees. They had discussed the proposed TPO and been in agreement that the tree was healthy and made an important contribution to the visual amenities of the area. There was no compelling reason to remove it. It had also been noted that confirmation of the order would not prevent sympathetic management of the tree in future years.

The Development Management Committee was now asked to consider whether the Order should be confirmed in the light of the Trees Working Party recommendations.

After due consideration, it was

RESOLVED –

That the Tree Preservation Order No. 3 2014 be confirmed.

**5. APPLICATIONS DETERMINED**

RESOLVED –

That the applications submitted under the Town and Country Planning Act, 1990 (as amended) and the Town and Country Planning (Development Management Procedure) (England) Order, 2010 be determined as set out below.

NOTE: The standard planning conditions and reasons referred to are as set out in the publication "Aylesbury Vale District Council – Planning Conditions and Reasons" – dated 1<sup>st</sup> October, 2007.

**(a) 14/01495/APP, Walton Lodge, Walton Terrace, Aylesbury**

Change of use of building from offices (B1) use to 14 residential units (C3) including demolition of part of single storey offices to rear and erection of replacement two storey extension.

Permission refused for the following reasons:-

1. The proposed development by reason of the proposed scale, bulk, massing and materials of the proposed extensions would result in a cramped, overdeveloped and out of keeping form that would detract from the existing listed building, its setting and the setting of surrounding listed buildings, the character and appearance of the Conservation Area both of which are designated heritage assets and the locality in general. The proposals would therefore be contrary to policies GP35 and GP53 of the AVDLP and to the NPPF.
2. The proposed development by reason of the scale and relationship in relation to the neighbouring properties would have an adverse impact upon their amenities. In particular the proposals would be detrimental to no.9 Walton Terrace unacceptably overshadowing it and its curtilage structures, creating an oppressive environment within the private garden area. The proposals would therefore reduce the occupants amenities to a level below that which they could reasonably expect to enjoy, contrary to policy GP8 of the AVDLP.

**NOTE:** Councillor Adams declared a personal interest in the above application as he was a Member of Aylesbury Town Council who had commented on the application.

**NOTE:** Councillor Fealey declared a disclosable pecuniary interest in the above application as his wife worked at the application site and left the meeting whilst the application was under determination.

**14/01496/ALB, Walton Lodge, Walton Terrace, Aylesbury**

Change of use of building from offices (B1) use to 14 residential units (C3) including internal and external alterations, demolition of single storey offices to rear and erection of replacement two storey extension.

Consent refused for the following reason:-

The proposed development by reason of the proposed scale, bulk, massing and materials of the proposed extensions would result in a cramped, overdeveloped and out of keeping form that would detract from the existing listed building, its setting and the setting of surrounding listed buildings which are designated heritage assets. The proposals would therefore be contrary to the National Planning Policy Framework.

**NOTE:** Councillor Adams declared a personal interest in the above application as he was a Member of Aylesbury Town Council who had commented on the application.

**NOTE:** Councillor Fealey declared a disclosable pecuniary interest in the above application as his wife worked at the application site and left the meeting whilst the application was under determination.

**14/01848/APP, Red Rose Travel, Aylesbury Road, Haddenham.**

Erection of maintenance shed, curtilage extension and variation of condition 1 of planning permission 97/02631/APP (allowed on appeal) to permit the parking of 37 buses on the site.

Permission refused for the following reasons:-

1. The development if permitted would intensify the use of an existing access on a section of inter-urban principal road, which forms part of the Strategic Highway Network. The slowing and turning of vehicles associated with the use of the access would lead to further conflict and interference with the free flow of traffic on the highway and be detrimental to highway safety. The development is contrary to the NPPF and the aims of the Buckinghamshire Local Transport Plan 3.
2. The proposed development would cause noise and disturbance to nearby residential properties reducing the residential amenities they could reasonably expect to enjoy below an acceptable level, contrary to policies GP8 and GP95 of the Aylesbury Vale District Local Plan and the guidance set out in the NPPF.

**14/02000/APP, 87 Grenville Road, Aylesbury**

Two storey side extension, single storey rear extension and front porch

Permission refused for the following reason:-

The proposed two storey side extension by reason of its size, scale and bulk would not appear subservient or complimentary to the existing dwelling. Owing to its siting on an open corner plot, the extension would appear overly prominent in the street scene and would detract from the distinct pattern of development and would adversely impact the character and appearance of the original dwelling and result in harm to the visual amenities of the street scene and would be contrary to policies GP9, GP35 of AVDLP and the advice contained within the DG: Residential Extensions and the Southcourt Technical Advice Note.

**NOTE:** Councillor Adams declared a personal interest in the above application as he was a Member of Aylesbury Town Council who had commented on the application.

**14/1401/APP, The Old Forge, High Street, North Marston**

Conversion and change of use of existing building B1 (C) to residential use C3

Permission granted subject to the following conditions:-

1. STC5
2. US05
3. No development shall begin until full details of soft landscaping works have been submitted and approved in writing by the Local Planning Authority. These works shall include schedules of plants, noting species, plant sizes and proposed numbers/densities. These works shall be carried out as approved within the first planting season following the first occupation of the development.

4. The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 1995 (or any order evoking or re-enacting that Order with or without modification)) no development falling within classes A, B, C, D and E of Part I of Schedule 2 shall be carried out within the curtilage of any dwelling the subject of this permission, other than those expressly authorised by this permission.

Reasons for conditions:-

1. RE03
2. RE11 and to accord with policies GP9 and GP35 of the AVDLP.
3. In the interests of the visual amenity of the locality and to comply with Policy GP38 of the AVDLP.
4. To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway and to comply with Policy GP24 of the AVDLP.
5. In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for the development having regard to the particular layout and design of the development and to comply with Policies GP8 and GP35 of the AVDLP.

**14/02202/APP, Cowley Farm, Aylesbury Road, Cuddington**

Change of use of existing outbuilding from garage, workshops and storage into dwellings with an increase in its roof pitch.

Permission refused for the following reasons:-

1. The building to which this proposal relates is a modern structure located in the open countryside. It possesses little visual, architectural or historic interest and does not make a significant or positive contribution to the rural character and appearance of the locality. Moreover, the proposed scheme of conversion would involve significant alterations to the roof slope and a significant extension/addition to the front of the existing building. The development for these reasons would be contrary to Aylesbury Vale District Local Plan policy RA11 relating to the 'Conversion of buildings in the countryside', Design Guide No.2 'The conversion of traditional farm buildings' and guidance contained in the NPPF relating to the protection of heritage assets.
2. Contrary to AVDLP policy RA8 and guidance contained in the National Planning Policy Framework the proposal to retain and significantly alter this large non-traditional building would result in the consolidation of visually unattractive development in the open countryside, designated as an Area of Attractive landscape. The proposal would therefore fail to respect the character and appearance of the designated Area of Attractive Landscape within which it is located.

**14/02476/APP, Railway Cottage, Doddershall, Quinton**

Change of use of land from agricultural to residential use and erection of double garage

Permission refused for the following reason:-

The proposed use of land and associated erection of a domestic garage building on land beyond the existing authorised residential curtilage associated with 'Railway Cottage', would constitute a visually detrimental form of development contrary to AVDLP policy RA3 and guidance contained in the National Planning Policy Framework relating to development in the countryside.