

PLANNING COMMITTEE

Meeting - 27 May 2015

Present: Mr Anthony*, Mr Chhokar, Mr Egleton*, Mrs Jordan*, Mrs Lowen-Cooper*, Mr Samson*, Mr Sandy* and Mr Vincent*

Apologies for absence: Mr D Dhillon, Mrs Gibbs, Miss Hazell and Dr Matthews

*Site visit undertaken

4. MINUTES

The minutes of the meeting held on 22 April 2015 were confirmed and signed by the Chairman.

5. APPLICATIONS AND PLANS

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; R (AO) – Refused against Officer recommendation; RC - Removal of Condition; TC - Temporary Consent; TP - Temporary Permission; ULBC - Unconditional Listed Building Consent; UP - Unconditional Permission; VG - Variation Granted; W - Application Withdrawn.

(A) APPLICATIONS FOR CONSIDERATION UNDER PLANNING ONLY:-

	<u>Plan Number & Applicant-</u>	<u>Proposal</u>	<u>Decision</u>
1	14/02276/FUL Burnham Nominees Ltd	Demolition of existing buildings/outbuildings/stores and redevelopment of site to provide office building and four dwellinghouses with associated parking and landscaping. Erection of wall and gates and minor alterations to the rear of numbers 36-56, London End, Beaconsfield, replace flat roof on number 38 with pitched roof, rebuild rear wall of number 38A with pitched roof and single storey rear extension to number 52.	R
	Notes: 1. A site visit was undertaken by members. 2. Although Transport for Bucks had received additional information from the applicants, their concerns had not been addressed; therefore their four original reasons for refusal still applied.		

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		<p>3. Arising from 2, the advice of Officers was to refuse the application.</p> <p>4. Prior to consideration of the application Anthony Meaden, on behalf of objectors and Chris Gregory, the agent, addressed the meeting.</p> <p>5. Councillor Walters also addressed the meeting.</p>	
		RESOLVED that the application be refused for the four reasons set out in the original comments of Transport for Bucks.	
2	15/00397/RC Mr & Mrs Smith	<p>Removal of Condition 9 of Planning Permission 05/00310/FUL to allow reinstatement of full permitted development rights at Poppy Cottage, Denham Green Lane.</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. A site visit was undertaken by members. 2. Prior to consideration of the application Paul Pennifer, on behalf of objectors, addressed the meeting. The applicant had declined the opportunity to address the meeting. 	P
3	15/00558/FUL Mr M Bogdanowicz	<p>Replacement of detached dwellinghouse at 21 Birchdale, Gerrards Cross, Bucks, SL9 7JA.</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. A site visit was undertaken by members. 2. Prior to consideration of the application Mr Vafiadis, on behalf of objectors and Mr Schienke, the agent, addressed the meeting. 	P
4	15/00324/RC Mr O Donovan	<p>Removal of conditions 7, 8 and 9 of Planning Permission 14/01275/FUL Highway Conditions In respect of Dromenagh Farm, Sevenhills Road, Iver Heath, Iver, Bucks.</p>	RC

(B) APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY

The Committee received for information a list of the applications dealt with under delegated authority by the Head of Sustainable Development.

6. **LAND ADJACENT TO ALDERBOURNE COTTAGE (AREA 2), FULMER LANE, FULMER, BUCKS DL9 7BL**

The Committee considered a report requesting authority to issue and serve an Enforcement Notice in respect of land adjacent to Alderbourne Cottage (Area 2), Fulmer Lane, Fulmer, Bucks, SL9 7BL shown edged black on the plan attached to the report as Appendix 1. The Committee was advised that following consultation with the Consultative Group in April the Head of Sustainable Development had issued an Enforcement Notice in respect of land adjacent to Alderbourne Cottage (Area 1).

The report set out amongst other things:

- The location of the Cottage and description of the original planning unit within the Metropolitan Green Belt and the Colne Valley Park;
- The history of applications submitted and refused;
- The site visits made and Enforcement Action taken;
- Reasons for expediency including Very Special Circumstances;
- Human Rights and the Rights of the Child; and
- Public Sector Equality Duty

Paragraph 87 of the NPPF provides that inappropriate development in the Green Belt is by definition harmful and should not be approved except in very special circumstances and the report also addressed whether any very special circumstances existed which indicated that enforcement action should not be taken having regard to:

- (a) The need for Gypsy and Traveller pitches in the district;
- (b) Alternative Sites;
- (c) Personal need for a site in the district.

After considering the report and particularly noting the conclusion that having regard to all of the personal considerations known to the Council and general considerations, these were not considered sufficient to outweigh the harm being caused to the Green Belt and thus do not amount to very special circumstances that would justify not taking enforcement action the Committee agreed that enforcement action was appropriate and accordingly

RESOLVED that an Enforcement notice be issued and served pursuant to Section 172 of the Town and Country Planning Act 1990, as amended regarding the following breach of planning control on land adjacent to Alderbourne Cottage (Area 2), Fulmer Lane, Fulmer, Bucks, SL9 7BL for the Reasons for Expediency set out Section 5 of the report-

Without planning permission, the material change of use of the Land from use for residential purposes ancillary to Alderbourne Cottage to a mixed use of the Land as:

- (i) a gypsy and traveller site;
- (ii) the stationing, parking and/or storage of commercial vehicles and machinery; and
- (iii) the storage of materials

("Unauthorised Uses") together with the associated works and operational development undertaken (including the importation of earth and materials for the purposes of re-profiling the land and the construction of a vehicular access) to facilitate these Unauthorised Uses.

And further, in the event that the Enforcement Notice is not complied with that authority be given to the Head of Legal and Democratic Services to take legal proceedings to secure compliance therewith.

7. **ENFORCEMENT NOTICE PROGRESS REPORT**

The Committee received for information a progress report which set out the up-to-date position relating to Enforcement Notices.

RESOLVED that the report be noted.

8. **SCHEDULE OF OUTSTANDING MATTERS**

The Committee received for information a progress report which set out the up-to-date position relating to Planning Public Inquiries, Hearings and Court Dates.

RESOLVED that the report be noted

9. **PLANNING APPEALS**

The Committee received for information a progress report which set out the up to date position relating to planning appeals.

RESOLVED that the report be noted.

The meeting terminated at 5.35 pm