

## **PLANNING COMMITTEE**

**Meeting - 24 July 2019**

Present: R Bagge\* (Chairman)  
J Jordan\*, D Anthony\*, M Bezzant, T Egleton\*, B Gibbs\*, M Lewis\*  
and D Smith\*

*\*attended site visits*

Apologies for absence: P Hogan and Dr W Matthews

### **15. MINUTES**

The minutes of the Planning Committee held on 26 June 2019 were approved and signed by the Chairman as a correct record.

### **16. DECLARATIONS OF INTEREST**

Councillor R Bagge and Councillor T Egleton declared a personal interest in application PL/19/0254/VRC as they had both recently attended a social occasion where the objector speaking against this application, Mr Tristan Miles, was present. Councillor Bagge and Councillor Egleton confirmed that Mr Miles was an acquaintance and not a close personal friend.

### **17. 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; PCR TPO Part Consent/Part Refusal; 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ULBC - Unconditional Listed Building Consent; UP - Unconditional Permission; VG - Variation Granted; W - Application Withdrawn.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) COMMITTEE DECISION REQUIRED FOLLOWING A SITE VISIT AND/OR PUBLIC SPEAKING:**

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|  |   | <b>Decision</b> |
| <b>Plan Number:</b>  | 17/01015/FUL  | D (PO)          |
| <b>Applicant:</b>  | Mr A Carey  |                 |
| <b>Proposal:</b>   | Redevelopment of site to provide 34 dwellings comprising 15 one bedroomed flats, 2 two bedroomed flats and 17 three bedroomed houses, car parking and all associated landscaping and ancillary works at Burnham Garage, 71-73 Stomp Road, Burnham, Buckinghamshire, SL1 7LP |                 |
| <p>Notes:</p> <ol style="list-style-type: none"> <li>1. A site visit was undertaken by Members</li> <li>2. A proposal was made that an informative be added to ensure that the materials match that of the adjoining development.</li> </ol> <p>Councillor J Jordan proposed that the Officer's recommendations be approved, along with the addition of an informative to ensure that the materials match that of the adjoining development, which was seconded by Councillor M Lewis and agreed at a vote.</p> <p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>1) That the application be delegated to the Head of Planning and Economic Development to approve subject to the satisfactory prior completion of a Section 106 Planning Obligation Agreement relating to education provision and highway improvements. If the Section 106 Agreement cannot be completed the application be refused for such reasons as the Head of Planning and Economic Development considers appropriate.</li> <li>2) An informative be added to ensure that the materials match that of the adjoining development.</li> </ol> |   |                 |
|  |   | <b>Decision</b> |
| <b>Plan Number:</b>  | PL/18/4426/FA   | R(AO)           |
| <b>Applicant:</b>  | Ms R Grace-Mee  |                 |
| <b>Proposal:</b>   | Demolition of existing dwelling and erection of a detached dwelling, detached garage, swimming pool and gates at Stonecrop, 3 Saxon Gardens, Taplow, Buckinghamshire, SL6 0DD   |                 |
| <p>Notes:</p> <ol style="list-style-type: none"> <li>1) A site visit was undertaken by Members</li> </ol> <p>Councillor Gibbs proposed that the Committee refuse the application due to inappropriate development in the Green Belt, which would be harmful to the Green Belt, and the failure to harmonise with the existing character and appearance of the surrounding development and the locality in general. This proposal was seconded by Councillor Egleton and agreed at a vote.</p>  |   |                 |

**RESOLVED**

That the application be refused for the following reasons:-

- 1) Within the Green Belt, most new development is considered to be inappropriate and there is a general presumption against such development. Development which is not inappropriate is set out in paragraph 145 of the National Planning Policy Framework (NPPF) and includes the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. This is also reflected in Policies GB1 and GB11 of the South Bucks Local Plan. The proposed dwelling and garage would have a total floor area of 532.1 sq metres which is considerably larger than the existing dwelling which has a total floor area of 260 sq metres. As such the proposed building would be materially larger than the one it replaces and would constitute inappropriate development, which is by definition harmful to the Green Belt. It would also result in harm to the openness of the Green Belt. Whilst it is acknowledged that the applicant is able to extend the existing property under permitted development, it is not considered that this is sufficient to amount to a case of very special circumstances to outweigh the harm to the Green Belt, by reason of inappropriateness and loss of openness. As such, the proposal is contrary to policies GB1 and GB11 of the South Bucks District Local Plan (adopted March 1999) and section 13 of the NPPF (Protecting Green Belt Land).
- 2) Local Plan policy EP3 states that development will only be permitted where its scale, layout, siting, height, design, external materials and use are compatible with the character and amenities of the site itself, adjoining development and the locality in general. Poor designs which are out of scale or character with their surroundings will not be permitted. Section 12 of the National Planning Policy Framework (NPPF) sets out that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. The NPPF also sets out that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and sympathetic to local character and history. The proposed replacement dwelling by virtue of its large size and design would fail to harmonise with the existing character and appearance of the surrounding development and the locality in general. It would be visible from the site entrance in Rectory Road and given its large scale and design would appear prominent within the street scene. As such, the proposal is contrary to saved policies EP3 and H9 set out in the South Bucks District Local Plan (adopted March 1999), Core Policy 8 of the South Bucks District Core Strategy (adopted February 2011) and the NPPF.

|                     |   | <b>Decision</b> |
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| <b>Plan Number:</b> | PL/18/4810/FA   | P               |
| <b>Applicant:</b>   | Big Yellow Self Storage Company Ltd   |                 |
| <b>Proposal:</b>    | Demolition of existing office building (Use Class B1) and the erection of a 4-storey building comprising a self-storage facility (Use Class B8) together with vehicular |                 |

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|   | access, service yard, parking, associated works and landscaping at ICM Ltd, River Court, 50 Oxford Road, New Denham, Denham, Buckinghamshire, UB9 4DN  |                       |
| <p>Notes:</p> <p>1) A site visit was undertaken by Members</p> <p>Councillor B Gibbs proposed that the Officer's recommendation be approved which was seconded by Councillor M Lewis and agreed at a vote.</p> <p><b>RESOLVED</b></p> <p>That conditional permission be granted subject to the conditions and informative as set out in the report.</p>   |  |                       |
|   |  | <b>Decision</b>       |
| <b>Plan Number:</b>   | PL/19/0254/VRC   | Appeal to be defended |
| <b>Applicant:</b>   | Mr & Mrs R Pomerence   |                       |
| <b>Proposal:</b>  | Variation of condition 16 of planning permission 17/01853/ FUL (Redevelopment of site to provide 8 detached dwellings with integral garages) to amend design of houses on plots 2 and 3 at Cut Heath House, Parsonage Lane, Farnham Common, Buckinghamshire, SL2 3PA |                       |
| <p>Notes:</p> <ol style="list-style-type: none"> <li>1) Officers advised the Committee that an appeal had been lodged against the Council's failure to determine the application within the statutory time period, and as such the application would be determined by the Planning Inspectorate. Therefore the Committee were asked to indicate what the decision of the Council would have been in the absence of an appeal being lodged.</li> <li>2) The Planning Officer advised that the first line of the recommendation in the report should read 'Had the Council had the opportunity to consider the application, it would have refused it for the following reason.....'</li> <li>3) The Planning Officer added a second recommendation to authorise the Head of Planning and Economic Development to defend the Council's position on appeal on the basis of the reasons in the first recommendation.</li> <li>4) Speaking on behalf of the objectors, Mr Tristan Miles.</li> </ol> <p>Councillor J Jordan proposed that the Officer's recommendations be approved which was seconded by Councillor M Bezzant and agreed at a vote.</p> <p><b>RESOLVED that</b></p> <ol style="list-style-type: none"> <li>1) Had the Council had the opportunity to consider the application , it would have refused it for the following reason;- <ul style="list-style-type: none"> <li>The NPPF supports the need for affordable housing to promote mixed and balanced communities. South Bucks District Council seeks to secure at least 40% of a development of this size to be provided in the form of units of affordable accommodation, unless it is clearly demonstrated that this is not economically viable. National and local policies require reduced rates of affordable housing based on financial viability to be clearly and robustly</li> </ul> </li> </ol> |  |                       |

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| <p>demonstrated. In this instance, the application is not proposing any form of provision towards affordable housing. This lack of provision has not been robustly justified, and based upon the need to create mixed and balanced communities, and the need for affordable homes, it is clear that this lack of provision will result in harm. As such, the proposal would be contrary to the aims of section 5 of the NPPF, Core Policy 3 of the South Bucks District Local Development Framework Core Strategy (adopted February 2011) and the South Bucks District Affordable Housing SPD (adopted July 2013).</p> <p>2) Authority be given to the Head of Planning and Economic Development to defend the Council's position at appeal on the basis of the reasons in the first recommendation.</p>   |  |                 |
|  |  | <b>Decision</b> |
| <b>Plan Number:</b>  | PL/19/1496/FA  | P               |
| <b>Applicant:</b>  | Mr McManus   |                 |
| <b>Proposal:</b>   | Change of use to 11 bedroom house in multiple occupation (HMO) (a sui generis use) and associated facilities. (Retrospective) at Apex House, Apex Works, Willow Avenue, New Denham, Buckinghamshire, UB9 4AF |                 |
| <p>Notes:</p> <p>1) A site visit was undertaken by Members</p> <p>2) With regards to the enforcement notice, Members were advised that in the event planning permission is granted for the use of the premises as sought, the enforcement notice will no longer be enforceable. That said, section 180(3) continues that where a notice ceases to have effect after the grant of a planning permission, this shall not affect the liability of the any person for an offence in respect of a previous failure to comply or secure compliance with the notice.</p> <p>Councillor J Jordan proposed that the Officer's recommendations be approved which was seconded by Councillor B Gibbs and agreed at a vote.</p> <p><b>RESOLVED</b></p> <p>That conditional permission be granted subject to the conditions and informative as set out in the report.</p> |  |                 |

**(B) COMMITTEE DECISION REQUIRED WITHOUT A SITE VISIT OR PUBLIC SPEAKING:-**

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|                     |  | <b>Decision</b> |
| <b>Plan Number:</b> | PL/19/0983/VRC   | P               |
| <b>Applicant:</b>   | Mr D Fisher  |                 |
| <b>Proposal:</b>    | Variation of condition 2 of Planning Permission 17/01562/FUL (Redevelopment of site to provide a block containing 19 apartments with associated access, landscaping and hardstanding) to allow |                 |

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|   | removal of bin store from the building and erection of an external bin store at<br>19 & 21 Bathurst Walk, Iver, Buckinghamshire, SL0 9DQ |
| <b>RESOLVED</b><br>That conditional permission be granted subject to the conditions and informative as set out in the report. |  |

**(C) COMMITTEE OBSERVATION REQUIRED ON APPLICATIONS TO OTHER AUTHORITIES**

None

**(D) APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY**

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

**18. PLANNING APPEALS AND 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

The meeting terminated at 5.48 pm