

Town and Country Planning Act 1990

Town and Country Planning
(Development Management Procedure) (England) Order 2015



Agent :

Prizepalm Ltd
1 The Queensway
Gerrards Cross
SL9 8NF

Applicants Details :

Mr R Santos
Downley Lodge
Plomer Green Lane
Downley
Buckinghamshire
HP13 5XN

In pursuance of its powers under the above-mentioned Act and Orders the Wycombe District Council as Local Planning Authority hereby REFUSE PERMISSION for:-

Proposal: Householder application for construction of new wall and piers leading from Plomer Green Lane to the gates of Downley Lodge (retrospective)

**At: Downley Lodge
Plomer Green Lane
Downley
Buckinghamshire
HP13 5XN**

In accordance with your application received on 06.06.2017 and the plans and particulars accompanying it.

The reason(s) for refusing your application are:

- 1 In the opinion of the Local Planning Authority the proposed development would represent an incongruous feature, at odds with the rural character and appearance of the area, to the detriment of the special character and appearance of the Downley Conservation Area and the Chilterns Area of Outstanding Natural Beauty. The development is therefore contrary to Policies G3 (General Design Policy), H17 (Extensions and Other Developments Within Residential Curtilages), HE6 (New Development in Conservation Areas and Conservation Area Character Surveys), and L1 (The Chilterns Area of Outstanding Natural Beauty) of the Adopted Wycombe District Local Plan to 2011 (as saved, extended and partially replaced), and Policies CS17 (Environmental Assets), CS19 (Raising the Quality of Place-Shaping and Design) of the Core Strategy DPD (Adopted July 2008). The above policies are considered to accord with the National Planning Policy Framework (NPPF).

- 2 In the opinion of the Local Planning Authority the proposed development would, by virtue of its layout and design, design impinge upon vehicular intervisibility and involves the annexation of highway land maintained at public expense, to the detriment of the safety and convenience of users of the highway. The development is therefore contrary to Policy T2 (On-Site Parking and Servicing) of the Adopted Wycombe District Local Plan to 2011 (as saved, extended and partially replaced), and Policy CS20 (Transport and Infrastructure) of the Core Strategy DPD (Adopted July 2008).
The above policies are considered to accord with the National Planning Policy Framework (NPPF).

INFORMATIVE(S)

- 1 In accordance with paragraphs 186 and 187 of the NPPF Wycombe District Council (WDC) take a positive and proactive approach to development proposals focused on solutions. WDC work with the applicants/agents in a positive and proactive manner by:
- * offering a pre-application advice service,
 - * as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions, and,
 - * by adhering to the requirements of the Planning & Sustainability Customer Charter.
- In this instance the agent was advised that the submitted scheme did not match the development as built, that neither the proposal nor the built development were in accordance with the development plan, and that no material considerations were apparent to outweigh these matters. The agent was provided the opportunity to amend the application to replace the walls with low metal railings along the trajectory of the original application, however amendments were not received. The application was subsequently refused.

Dated: 10 November 2017

Penelope Tollitt

PENELOPE TOLLITT
Head of Planning and Sustainability
For and on behalf of the Council

FURTHER INFORMATION:

The plans & details considered include:
P.01/01; P.02/01; P.03/01; P.04/01

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN . Tel: 0303 444 5000, e-mail: enquiries@pins.gsi.gov.uk or online at www.planningportal.gov.uk/pcs.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.