



# Buckinghamshire Council

## East Buckinghamshire Area Planning Committee

### Minutes

**MINUTES OF THE MEETING OF THE EAST BUCKINGHAMSHIRE AREA PLANNING COMMITTEE HELD ON TUESDAY 20 OCTOBER 2020 VIA VIDEO CONFERENCE, COMMENCING AT 6.30 PM AND CONCLUDING AT 8.20 PM**

#### **MEMBERS PRESENT**

N Rose (Acting Chairman), D Bray, J Burton, J Gladwin, P Jones, J MacBean, J Rush, M Titterington, J Waters and J Wertheim

#### **Agenda Item**

##### **1 APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillor C Jones and Councillor N Southworth.

##### **2 DECLARATIONS OF INTEREST**

Councillor J MacBean declared a personal and prejudicial interest in agenda item 4, application reference PL/20/1214/VRC as a neighbour of the applicant was known to her. Councillor MacBean would leave the meeting for this item and take no part in the deliberation or subsequent vote.

Councillor D Bray declared a personal interest in agenda item 7, application reference PL/20/2008/FA as Chairman of the Chalfont St Giles Parish Council Planning Committee. Councillor Bray advised that as he had predetermined the application, he would remove himself from the committee whilst that item was discussed and speak only in his right as local ward member. Councillor Bray would take no part in the discussion of the application nor the subsequent vote.

##### **3 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 25 August 2020 were agreed as an accurate record.

##### **4 PL/20/1214/VRC - 75 LYE GREEN ROAD, CHESHAM, BUCKINGHAMSHIRE, HP5 3NB**

*Note 1: Councillor J MacBean left the meeting for the duration of this item due to having declared a personal and prejudicial interest.*

Proposal: Variation of conditions 6 and 12 of planning permission PL/18/3887/FA (Erection of two detached dwellings and a car port) to allow for an alteration to the car port and the relocation of the parking spaces.

Notes:

- The Planning Officer explained to Members that a previous application had been heard by the Planning Committee at its meeting on 25 August 2020 where Members voted to grant conditional permission. However, consideration of new material information coming to light since the previous meeting and before the planning permission was issued relating to case law (Finney v Welsh Ministers [2019] EWCA Civ 1868) confirmed that the Court of Appeal had held that a Section 73 application may not be used to change the description of a planning permission. Therefore, an amended application referring to “a car port” had been referred back to the Committee for a decision.
- Amended plans had subsequently been received from the agent which revert back to a three bay car port in the new position, closer to the two new dwellings and these were subject to a new consultation period.
- One additional letter of objection had been received since the publication of the agenda referencing an opinion of leniency being given to the applicant, highlighting the Finney case law and considering that the current application conflicted a previous condition.
- As the consultation period for the amended plans was yet to expire, officers proposed to amend the recommendation from ‘conditional permission’ to ‘delegate to grant conditional permission subject to no new material considerations being raised during the remainder of the consultation period with the decision delegated to the Service Director for Planning and Environment’.
- There was no public speaking on this application as the Applicants Agent decided not to speak as there were no other public speakers.

It was proposed by P Jones, seconded by M Titterington and **resolved:**

To delegate to grant conditional permission subject to no new material considerations being raised during the remainder of the consultation period with the decision being delegated to the Service Director for Planning and Environment.

*Note 2: Councillor J MacBean returned to the meeting following the conclusion of this item.*

## **5 PL/20/1026/FA - REAR OF 82 HIGH STREET, GREAT MISSENDEN, BUCKINGHAMSHIRE**

Proposal: Erection of 2 semidetached dwellings and carports to be served by implemented access under planning permission CH/2015/1417/FA.

Notes:

- Speaking on behalf of the objectors: Ms Jennifer Bizley
- Speaking as the agent: Mr David Parker

It was proposed by J Gladwin, seconded by J Waters and **resolved:**

That the application be refused due to (1) the building causing a fundamental change to the character of that part of the conservation area by virtue of bulk and siting and would not preserve or enhance the character of the conservation area; and (2) given the siting of the new dwellings in front of the existing row of terraced dwellings on the wider site, it would appear overbearing and intrusive and would affect the outlook from these neighbouring properties.

**6 PL/20/1251/FA - LABURNHAM VILLA, 131 HIGH STREET, PRESTWOOD, BUCKINGHAMSHIRE, HP16 9EX**

Proposal: Demolition of existing property and erection of two detached dwellings with formation of vehicular access.

Notes:

- There was no public speaking on this application.
- Since publication of the agenda, an additional letter of objection had been received which raised an additional point regarding the impact the proposed development would have on the side window of the neighbouring property at 129 High Street. Officers had looked in to this and considered the impact to be acceptable.
- An additional condition was proposed to remove permitted development rights to plot 2.

It was proposed by J Waters, seconded by J MacBean and **resolved**:

That conditional permission be granted subject to the conditions and informatives as set out in the officer report with the addition of a condition to remove permitted development rights to plot 2.

**7 PL/20/2008/FA - 35A DEANWAY, CHALFONT ST GILES, BUCKINGHAMSHIRE, HP8 4JR**

*Note 3: Councillor D Bray removed himself from the committee for the duration of this item due to having considered himself as having predetermined the application. Councillor Bray would exercise his right to speak as ward member and take no part in the discussion or subsequent vote.*

Proposal: Two storey side extension, single storey side and rear extensions, addition of rear first floor window.

Notes:

- Three additional conditions were proposed during discussion. (1) To require the submission of a detailed landscaping scheme; (2) to require the implementation of the approved landscaping scheme; and (3) to remove permitted development rights to the property.
- Speaking as ward member: Councillor Des Bray
- A written public speaking statement was read out from Mrs Catherine Sedgwick, on behalf of the objectors.
- A written public speaking statement was read out from Mr Jack Clark, the applicant.

It was proposed by J Burton, seconded by J MacBean and **resolved**:

That conditional permission be granted subject to the conditions and informatives as set out in the officer report with the addition of three further conditions (1) to require the submission of a detailed landscaping scheme; (2) to require the implementation of the approved landscaping scheme; and (3) to remove permitted development rights to the property.

*Note 4: Councillor J Waters left the meeting during the discussion on this application and took no part in the vote.*

**8 DATE AND TIME OF THE NEXT MEETING**

Tuesday 17 November 2020 at 6.30 p.m.