



BUCKINGHAM TOWN COUNCIL

TOWN COUNCIL OFFICES, BUCKINGHAM CENTRE,
VERNEY CLOSE, BUCKINGHAM. MK18 1JP

Telephone/Fax: (01280) 816 426

Email: Townclerk@buckingham-tc.gov.uk
www.buckingham-tc.gov.uk

Town Clerk: Mr. C. P. Wayman

Tuesday, 30 June 2015

Councillor,

You are summoned to a meeting of the Planning Committee of Buckingham Town Council to be held on Monday 6th July 2015 at 7pm in the Council Chamber, Cornwalls Meadow, Buckingham.

C.P. Wayman
Town Clerk

Please note that the meeting will be preceded by a Public Session in accordance with Standing Order 1.3, which will last for a maximum of 15 minutes, and time for examination of the plans by Members.

AGENDA

1. **Apologies for Absence**

Members are asked to receive apologies from Members.

2. **Declarations of Interest**

To receive declarations of any personal or prejudicial interest under consideration on this agenda in accordance with the Localism Act 2011 Sections 26-34 & Schedule 4.

3. **Minutes**

To receive the minutes of the Planning Committee Meeting held on Monday 8th June 2015 ratified at the Full Council meeting held on 29th June 2015.

Copy previously circulated

4. **Buckingham Neighbourhood Development Plan**

In light of the report to last week's Full Council, there is unlikely to be a further update for this meeting.

5. **Action Reports**

5.1 To receive action reports as per the attached list.

Appendix A

5.2 (853/14; Candleford Court sluice) to receive a reply from the EA

Appendix B

5.3 (887.1; letter to Cabinet Member re Mrs. Robinson) to receive a reply

Appendix C

5.4 (41.5/15; Land at Station Terrace) to receive for information a correspondence trail of emails between Cllr. Stuchbury, County officers, the developer and agent

Appendix D

Buckingham



Twinned with Mouvaux, France



6. Planning Applications

For Member's information the next scheduled Development Management Committee meetings are 23rd July and 13th August 2015, with SDMC meetings on 24th July (NB: a Friday) and 12th August 2015.

To consider planning applications received from AVDC and other applications

1. 15/02019/APP 7 Robin Close, MK18 7HD
Two storey side extension
Spooner
2. 15/02035/APP 43 Embleton Way, MK18 1FH
Erection of garden shed (retrospective) and log cabin in rear garden
Romaine

The following application has been generated by the refusal of 15/01062/HPDE

3. 15/02036/APP 46 Highlands Road, MK18 1PL
Single storey rear extension, single storey side extension to existing garage and first floor rear extension to existing bedroom
Luddington
4. 15/02069/APP 31 Overn Avenue, MK18 1LU
Single storey side extension
Pasmore

The following two applications may be considered together:

5. 15/02070/ALB Lorimers Solicitors, 25-26 West Street, MK18 1HE
6. 15/02071/AAD Replacement non-illuminated signage comprising one projecting sign and one fascia sign
Pandya

Not for consultation, for information only:

7. 15/02010/HPDE 8 Moreton Drive, MK18 1JQ
The erection of a single storey extension which would extend beyond the rear wall of the original house by 7m, for which the maximum height would be 3.75m and for which the height of the eaves would be 2.40m.
Brizell

This application follows the refusal of 15/01477/HPDE, which was identical except for the maximum height of 3.99m (deemed too overbearing).

7. Planning Decisions

To receive for information details of planning decisions made by AVDC and other decisions.

Consulted on:

Approved		BTC response	Officer recomm ⁿ .	
15/00421/ALB 4 Castle Street	}	Signage on gable end of building	Oppose	-
15/00422/AAD 4 Castle Street			Oppose	-
15/00445/APP 34 Gilbert Scott Rd.		Front elevation infill	No Objections	-
15/00621/APP 14 Portfield Close		First floor side extension	Oppose	-
15/00685/APP 9 Hare Close		2-st side ext ⁿ +1 st fl. ext ⁿ over garage	Oppose	-

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15/00973/APP Land at Wharf Yard	Upgrade of telecom mast	No Objections	-
15/01298/APP 33 Waine Close	Single storey side extn to garage	No Objections	-
15/01376/APP Royal Latin School	Var/cond: reduced landscaping	Oppose	-
15/01455/APP 16 Overn Avenue	Single storey rear extension	No Objections	-
15/01529/APP 31 Woodlands Cres.	Replacement front porch	No Objections	-
15/01536/ATN Land off Gawcott Rd.	Replacement telecom mast	No Objections	-

Withdrawn

15/00247/APP Walnut Yard	Change of use to Educational	No Objections (+ provisos)
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Not consulted on:

Approved

15/01336/ATP [Maids Moreton Ave] Works to trees

15/01338/ATP Holloway Spinney Works to trees

Refused

15/01477/HPDE 8 Moreton Drive Permitted extension [reapplication 15/02010/HPDE above]

Planning Inspectorate – Appeal against refusal

14/01759/AOP Land at Bourton Rd. Outline application with access and all matters reserved for the erection of seven self-build dwellings together with parking, community garden, allotments and sustainable drainage.

Green Initiatives Ltd.

Inspector has dismissed the appeal.

8. Case Officer Reports (& Recommendations)

8.1 **Strategic Development Control** 1st July – no meeting; 24th July – agenda not available

8.2 **Development Control** 2nd July – no Buckingham applications; 23rd July – agenda not yet available

9. Enforcement

9.1 (15/00169/CON3: 4 The Villas) Response from Mr. Dales

Appendix E

9.2 To report any new breaches

10. Transport

10.1 To receive and discuss a BCC report on delivering highway improvement schemes sent by Cllr. Whyte (attached): link

<https://democracy.buckscc.gov.uk/documents/s59229/TEC%20Report%20S278%20Highways%20DM%20Review.pdf>

and Appendix F

and the related independent review of BCC Development Management Processes and Procedures (40pp) link (Members are asked to access this themselves):

<https://democracy.buckscc.gov.uk/documents/s59230/Parsons%20B%20report%20S278%20item.pdf>

10.2 To report any damaged superfluous and redundant signage in the town.

11. Access

To report any access-related issues.

12. Any other planning matters

12.1 (139/15) in light of the Full Council decision on the Recommendation made 18/5/15 (Min 48.1/15), to discuss any necessary changes to the meeting schedule imposed by the enforcement of a 21 day turnaround period.

ACTION LIST
Planning responses

Appendix A

Minute	Urgent responses sent	Responses posted
FC 122/15 (2) PL 129/15 (5)		(7) 10/6/15

Subject	Meeting date/minute	Action taken on	Form	Response received	Prompt/reminder sent	Response received
Transport (signage)	1/7/13 186/13	All Members	Reduction of sign clutter	To be standard agenda item		
	18/5/15 46.4.2	17/6/15	Look into byelaw possibility			
Councillor Training	12/5/14 38.3/14 18/5/15 41.1/15	16/5/14 28/5/15	Letter as minuted Check date	16/10/14 meeting: next training planned for June/July 2015 to follow election 29/5/15: Not yet arranged		
	1/5/15 52/15	28/5/15	T&C ref'd at earlier meeting	S Kitchen to contact DRI direct		
S106 monies	9/6/14 108/14		Quarterly update to be prepared	September agenda	23/6 BCC apologise for not replying – update expected	
	8/6/15 136.2/15	17/6/15	Amend layout Inc BCC			
Candleford Court	22/12/14 607.1/14 16/2/15 732.1	7/1/15 20/2/15	Letter as minuted Sandbags by sluice; flood warning system action	Chased 5/2/15 and 20/2/15 & 20/3/15	Chase of above added to new letter	Sandbags only → 7/4
	16/3/15 791/14	31/3/15	Letter to W Ryesdale	Passed to R.Newall, resp- 9/4/15 → 27/4		
	7/4/15 853/14 27/4/15 887.2	15/4/15	Letters to EA & Lagan Review planning process	EA reply agenda 5.2 → agenda 8/6/15		
BCC Waste & Minerals consultation	16/3/15 797/14	31/3/15	Letter to Cabinet Member as minuted	16/4/15		
	27/4/15 887.4	7/5/15	Find DGLG standards for consultations	→ 18/5 meeting		
	18/5/15 41.1	17/6/15	Contact clerk re meeting			
Travel Plans (effectiveness)	16/3/15 798.2	31/3/15	Letter as minuted	8/4/15		
	27/4/15 887.3	7/5/15	Ask schools about theirs	Royal Latin's response → 8/6/15		

Subject	Meeting date/ minute	Action taken on	Form	Response received	Prompt/ reminder sent	Response received
	8/6/15 128.3/15	17/6/15	Request RLS Travel Plan when available; send to BCC for info			
4 The Villas	7/4/15 856/14 27/4/15 887.1	17/4/15 18/6/15	Letters AVDC & EA re remaining concerns Post-election, write to new AVDC Chairman re treatment of Mrs. Robinson	EA response → Agenda 18/5 Holding response Agenda 5.3		
BCC Transport matters	7/4/15 858.4		Cyclists Dismount signs	BCC have in hand	18/5/15 & 23/6/15 seek update	
Street-lighting			Cotton End steps		18/5/15 & 23/6/15 seek update	
	18/5/15 46.3	28/5/15	Church St. lamp as minuted	Cllr. Whyte reports he is awaiting update on new required planning application to install lamp on Walnut Yard No response from BCC officer at 30/6/15		
Dukes Court garden gate	7/4/15 859/14 8/6/15 128.2/15	17/4/15 18/6/15	Letter to managing agents New letter as minuted	→agenda 8/6/15		
AVDC website	7/4/15 860/14	ongoing	Continue listing problems for new Cabinet Member			
AVDC admin	18/5/15 48/15 8/6/15 139/15	3/6/15	Check on 21-day response etc Ref. result of FC decision on Recommendation	5/6/15 Response circulated at 8/6/15 meeting July agenda item 12.1		
Access – Moreton Road II	27/4/15 894.2 8/6/15 128.4/15	7/5/15 18/6/15	Ask how entrance conforms with disability legislation Reply as minuted	Officers response → 8/6/15		
Moreton Road III – call-in (FC)	8/6/15 137/15	Draft circ. 17/6/15; Sent 23/6/15	Letter as minuted			

Awaiting response

Not yet done

Subject	Meeting date/ minute	Action taken on	Form	Response received	Prompt/ reminder sent	Response received
Land behind Lenborough Close	18/5/15 41.5	28/5/15	Contact A Back @ BCC	Correspondence compilation at agenda 5.4		
Padbury applications	18/5/15 52/15	5/6/15	Letter as minuted			
Streetnaming	8/6/15 135.1/15	Circulation 9/6/15 Selection sent 16/5/15	Source words for bell foundry and goods yard, and circulate for preferences	16/6/15 AVDC & Developer have accepted them and made selection	17/6/15 AVDC consulting with Royal Mail for comments	
Amended plans	8/6/15 136.1	18/6/15	Find out what constitutes Amendment/ Minor Amendment/ permissible variation	Ackn. 26/6/15, response to come		
Enforcement reports and queries						
13 High Street	16/3/15 795.3	17/3/15 with photo	New signage & lighting	"13" needs permission; remainder awaiting HBO decision	18/6/15	
Tesco banner			Banner on verge of London Rd.			
Buckingham Butcher	18/5/15 45.2.2/15	28/5/15	Check previous use class, report to Environmental Health & Enforcement	EH aware - on list for inspection; Enf. case no. 15/00200/CO N3		
News releases						

Action awaiting response

Action yet to be taken

Action completed **new response**

Awaiting response

Not yet done

Office@buckingham-tc.gov.uk

From: Office@buckingham-tc.gov.uk
Sent: 24 June 2015 11:46
To: Office@buckingham-tc.gov.uk
Subject: FW: Attn C P Wayman CCC 2015 22336

From: Bodell, Michael K [mailto:michael.bodell@environment-agency.gov.uk]
Sent: 22 June 2015 11:38
To: Townclerk@buckingham-tc.gov.uk
Cc: Clapham, Robert C; Anglian Central, Customer Contact
Subject: Attn C P Wayman CCC 2015 22336

Hi Mr Wayman

As discussed last week I now confirm our telephone discussions on 2 matters as follows:-

- 1) Proposed creation of pedestrian bridge across an ordinary watercourse(OWC) in Bourton Park.
 Following our joint site visit on Tuesday 9th June I have been able to clarify some of the issues regarding the proposed bridge. To recap the intention is to consider removing the culvert section of an Ordinary Watercourse(OWC) which currently feeds the back channel and ponds at Bourton Park by accepting flow from the Main River. Flows subsequently return to the river further downstream close to Bourton Mill. Once the culvert is removed the intention is to create a fixed height weir or similar barrier to allow greater flows into the back channel and ponds. As a footpath currently runs atop the OWC the bridge is intended to preserve access.

The culvert and it's headwalls currently sit within the Agency's 9 metre Bye Law distance(of the Main River) however any works on or near an OWC usually fall to the Lead Local Flood Authority-LLFA which in this case is Bucks. County Council. Whilst the works to remove the culvert and create a new barrier will need our written approval or Consent the bridge is unlikely to require Consent from County unless any support structures sit in the OWC. However it would make sense to include the plans for the bridge to be included within the overall Consent application to the Agency; we can then liaise with Bucks CC to ensure that any legislative requirements are met. Hopefully this will reduce some part of any likely paperwork.

- 2) Candleford Court, Buckingham

Once again apologies for the delay in responding to the queries raised in April; unfortunately due to a backlog of work your letter did not reach our team until last Wednesday-17th June, hence the telephone call the same day to discuss this site. I can confirm that by co-incidence I looked at the site whilst on the same site visit above; I am aware of various issues having arisen since the development has been under way. At the time of the brief site visit I can confirm that the sandbags shown in your supplied photo had been removed and that there was a clear, albeit slow trickle of water entering the pond area adjacent to the properties. I have no information on our files as to why those sandbags appeared in channel but a reasonable guess may have been to facilitate repairs or works to the sluice gate/penstock structure in a "dry" state. Whatever the reason any temporary blockage of the channel should have been notified to the Agency as Consent may have been required.

In respect of the pond area the layout as far as I'm aware does not form part of the FAS-Flood Alleviation Scheme for the town; however it may be that structures including the newly created footpath were subject to Planning Authority conditions. They did receive Agency Consent for their construction and are at an height agreed to within the overall Planning Approval. The Agency did not set any pre-conditions around the operation of the structures.

Going forward it may be that an opportunity exists for all the interested parties to discuss the sluice/pond operations to possibly improve habitat/status conditions in more detail. Our team(Asset Performance) has no immediate concerns in respect of flood risk; however my Biodiversity colleagues would be willing to discuss and suggest possible improvements- Rob Clapham would be willing to talk this through if this would be helpful. Reviewing this aspect of the original consent I note the environmental advice given at the time concerned in part the need to consider containing any non native

species- for example American Signal Crayfish- within the pond area should they be detected there. It would be an offence to release them back into the Main River and hence could be a reason why the sluice gates operate at a low level of entry and egress.

I have no outstanding enforcement issues at this site.

I hope this assists the members in their query and am available to discuss further if need be

Regards

Mike

Rob/ACCC- FYI

Mike Bodell
Enforcement Officer, Bedford Asset Performance Team(APT)
Environment Agency- Brampton Office
Cambridgeshire and Bedfordshire Area

Tel: 01480 483097- may divert to Mobile/Answering service

E-mail- Michael.bodell@environment-agency.gov.uk or www.gov.uk/environment-agency

My normal working days are Monday to Thursday- messages can be left on my phone answering service or by email.



Invasive Non-Native Species in our watercourses pose a threat to biodiversity, increase flood risk, affect the state of our water environment and cost the British economy a minimum of £1.7 billion per annum. Find out more [here](#).

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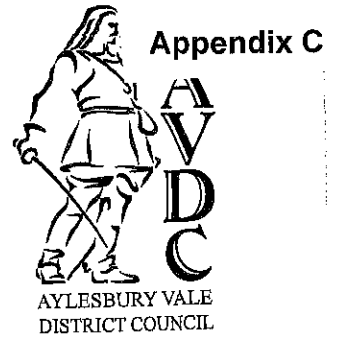
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AYLESBURY VALE DISTRICT COUNCIL

Councillor Mrs Carole Paternoster
Cabinet Member for Growth Strategy

Telephone: 01296 585717
Text Relay: prefix telephone number with 18001
Email: cpaternoster@aylesburyvaledc.gov.uk
Our Ref:
Your Ref: Min.887.1/14



22nd June 2015

Mr C P Wayman
Clerk to Buckingham Town Council
Buckingham Centre
Verney Close
BUCKINGHAM
MK18 1JP

Dear Mr Wayman

Re Development at the Villas, Stratford Road, Buckingham

Thank you for your letter dated 18th June. I am sorry that Mrs Robinson has not received a response to her complaint.

From the information you have given me in your letter this site appears to have a complex history, which I need to look into in detail. Please bear with me while I do this. I will contact you again as soon as I have further information. I regret that this has taken so long and will be looking to respond to you as soon as possible.

Yours sincerely

Carole Paternoster
Cabinet Member for Growth Strategy

Cabinet Office

The Gateway Gatehouse Road Aylesbury Bucks HP19 8FF
DX 4130 Aylesbury 1
www.aylesburyvaledc.gov.uk



Summary of correspondence re site at Station Terrace

(to 25/6/15)

2nd June 2015

Dear Councillor Stuchbury,

Many thanks for your email. I have investigated the site and looked through all the documents and photos you kindly sent me.

It would appear however, as stated in the Officer report dated 27th April 2015, that consent has been granted for this activity – I quote:

*“Works will initially remove an area of woodland shown by the blue hatched and yellow zones on the ‘view plan’. Levels will be increased by **tipping sub-soil** and replanting is intended to create native broadleaf woodland typical of woodland type W8d. the reason for the work is to take sub-soil from the adjacent building site...refusal would not prevent this soil movement....”*

This approval of works to the trees and subsequent infilling using sub soils from AVDC means that the works are permitted and there isn't any action I can take, unless they use materials unsuitable for the intended works or they 'over-tip'.

Kind regards,

Mrs Olivia Stapleford

Principal Planning Enforcement Officer

4 June 2015

Cllr. Stuchbury asked Mrs. Stapleford about the effect of soil movement and deposition on the drainage, especially with respect to Station Road.

5 Jun 2015<alback@buckscc.gov.uk> wrote:

Dear Clare, [Bayley]

Having discuss the flood issue on this site with Robin I do not feel that the investigation into this should hold up the development work should you wish to discuss this further please talk to Karen Fisher cc on Monday as I am on leave next week.

From what I understand the work being carried out will not affect the flood risk on the site although I do need to explore this further with Robin but nether the less this should not hold up the work on site.

Alex

Strategic Flood Management Officer - Flood Management Team, Buckinghamshire County Council

8 June 2015

Dear Alexander

I've copied this to David Smith of TFB being he was visiting the site Friday to see if these works Will impact greatly regarding the university drains not working correctly and there for increasing discharging On to the public high in station road ,

The university are aware of there flooding from the old rail way station these sole movements Are in the station siding there for will change the nature of the flow of water out from this site Even increasing this at times of high rain fall,

Once he had undertaken his site visit we will have a greater understand in all my concern relating to posable increasing flooding ,

Robin Stuchbury

19 June 2015

Good afternoon Alex / Robin firstly apologies for the delay in responding to you on this matter. Attached are photos showing what used to be the old railway sidings, which currently are dried up at the edge (photo 3) the manhole cover which used to be a gully grate starts at the edge of the railway siding piped under Railway walk and into a system of open ditch through University land.

Last year before we surfaced Station Road, this water came out and onto road surface, causing a lot of surface damage. The University were informed that unless they prevented this water from making contact with road surface, any future repairs would be down to them for settlement.

Therefore I trust with the new development no water system will be connected into this manhole cover, which may result in this issue starting again and cause problems to the Highway road surface ?

Alex you may wish to consider placing this on the agenda for next week, so

Summary of correspondence re site at Station Terrace

(to 25/6/15)

we at least have this on record.

Regards

Dave

Alex confirmed that it would be placed on the agenda

The developer was contacted, and responded

22 June 2015

Dear Alex

I refer to your email below. For your information we have no intentions of connecting to the manhole you refer to as it is not on our land and secondly it would not be suitable nor will any of our options take a route leading to Station Road. We are carrying out investigations as to the best route for discharging of surface water from connections in Station Terrace or

Lenborough Road. Our Engineers will report on the best options available to us in due course.

Kind Regards

Angelo Baccarella

Stellco Developments Limited

22 June 2015

Thank you Angelo for your reply

There is a small thing you sort not to note the very land you have placed building Site sole in was holding water historically before it discharge on to the queens Highway ,

Filling the railway sidings behind the old station will do very little to solve the university Drainage in which has not been solved to date ,

I would be very interested to gain your understanding on how the developments Actions of filling in a siding will improve the drainage and not increase flooding There after to station road,

It could be what ever scream you intend to put in for this site will solve everything Clearly this has not been demonstrated so fair , But I'm grateful for your time in this matter but at present don't find my mind is not Rested by your reply,But any information you believe will solve this I would most great full To receive ,

Regards

Robin Stuchbury

22 June 2015

Hi Angelo

All surface water drainage will go to Lenborough Road either directly or via Station Terrace. The surface water from roofs or the hardstanding areas will be collected and discharged into the Anglian Water drainage system.

We will not be discharging any drainage over the Station Road site boundary if this is what Mr Stuchbury is concerned about.

Kind regards

JON GREEN

Jon Green Partnership

22 June 2015

Dear Alex

I refer to your email below. For your information we have no intentions of connecting to the manhole you refer to as it is not on our land and secondly it would not be suitable nor will any of our options take a route leading to Station Road. We are carrying out investigations as to the best route for discharging of surface water from connections in Station Terrace or Lenborough Road. Our Engineers will report on the best options available to us in due course.

Kind Regards

Angelo Baccarella

Stellco Developments Limited

Members are informed that the matter has been pursued by Cllr. Stuchbury; no separate response to this Council's letter has been received. KM

www.buckingham-tc.gov.uk

Email: office@buckingham-tc.gov.uk

12.2 To receive for information a summary of AVDC planning performance statistics for January - March 2015 (the full 15 page report can be emailed on request).

Appendix G

13. Correspondence

Any items received during the week will be circulated at the meeting.

14. News releases

15. Chairman's items for information

16. Date of the next meeting: Monday 27th July 2015 following the Interim Council meeting.

To Planning Committee:

Cllr. M. Cole

Cllr. J. Harvey

Cllr. P. Hirons (Chairman)

Cllr. D. Isham

Cllr. A. Mahi

Cllr. L. O'Donoghue

Cllr. M. Smith

Cllr. Mrs. C. Strain-Clark (Vice Chairman)

Cllr. R. Stuchbury

Cllr. M. Try

Mr. I. Orton (co-opted member)

AYLESBURY VALE DISTRICT COUNCIL

Planning

Please ask for: Philip Dales
Direct Line: 01296 585623
Switchboard: (01296) 585858
Text Relay: prefix telephone number with 18001
Email: planningenforcement@aylesburyvaledc.gov.uk
Our Ref: 15/00169/CON3
Your Ref:



2 June 2015

Mrs Katharine McElligott

Dear Katharine

**Alleged unauthorised breach of approved details - insertion of rear door in garage -
14/02882/APP refers
4 The Villas Stratford Road Buckingham Buckinghamshire MK18 1NY**

I am writing to advise you of the current position in dealing with the enquiry that you made in respect of the above.

The conclusion reached is that the insertion of the doorway was not shown on the approved details and as a result is an unauthorised departure from the approved details. Furthermore, as it materially affects the appearance of the development it would not fall to be considered as a non material amendment to the planning permission, if such an application were to be submitted. Consequently, the developer has been invited to submit a new application for planning permission for retention of the garage as being built.

Nevertheless, as enforcement action should not be taken solely to regularise development which is otherwise acceptable it is considered that no useful purpose would be served by keeping our investigation open on the grounds that if that if applied for planning permission would most likely be granted.

Advice and guidance regarding the planning process can be found on the Council's website www.aylesburyvaledc.gov.uk. Further information is also available on the planning portal website www.planningportal.gov.uk.

Thank you for bringing this matter to our attention. If you have any questions please do not hesitate to contact me..

Yours sincerely

Philip Dales

Planning Enforcement Team Leader



Buckinghamshire County Council
Select Committee

Transport, Environment and Communities Select Committee

Report to the Transport, Environment and Communities Select Committee

Title:	Highways Development Management: Review and Improvement Report
Committee date:	23 rd June 2015
Author:	Martin Dickman – Director for Environment Services
Contact officer:	Christine Urry – Acting Head of Highways Development Management (01494) 475355
Cabinet Member sign-off:	Mark Shaw – Cabinet Member for Transport

Purpose of Agenda Item

The County Council, in its role as statutory local highway authority, is responsible for management of the highway network in Buckinghamshire. With significant growth taking place across the county there are a number of larger highway improvement schemes that are being delivered on the county's network by developers in response to the implementation of their proposals.

While the majority of these schemes progress with 'normal' levels of disruption being caused, there have been instances over the last 12 months where ongoing issues with developer-delivered schemes have caused significant delay and disruption to the network. This disruption has been felt by Buckinghamshire's residents and businesses, who inevitably turn to BCC with their concerns about the speediness and efficacy of roadworks.

With the scale of future growth currently being discussed at District level, it is likely that larger-scale highway improvements to the network will be a feature of the landscape going forward, and as such it was felt that undertaking a review of the way in which the County Council manages the highway development process, would provide valuable input to ensuring that current issues are addressed and improvement could be targeted in the most effective way.



In addition, the Council's Future Shape business model has seen the Highways Development Management service move from 'Planning & Compliance' to sit within 'Environment Services' under a new Service Director. Therefore any improvement plan is timely in order to reset our current approach and define our improvement needs in this context.

The purpose of this paper is to inform Members of the recommendations and actions emanating from the review and seek their views on the appropriate progression of activity within the service.

Background

Following concerns raised by the previous Chairman of the Select Committee, it was agreed that the service would commission an independent review of Highways Development Management. The review was undertaken between March and May 2015 and the subsequent report has been appended.

WSP Parsons Brinkerhoff (hereafter referred to as PB) was commissioned to review Highway Development Management's processes and provide external advice on the levels of assurance that are currently in place in terms of policies, procedures and practices to conduct effective highways development management.

The review process included an examination of existing procedural documents, interviews with officers and Members, as well as an assessment of a case study. The review also benchmarked with other authorities to compare with and define what 'best practice' looks like across the sector. It should be noted that it was explicitly not intended for the review to be an audit or inquiry into any one specific scheme.

Summary

The report provides a summary of the current processes and procedures, which are compared to best practice and relevant guidance, including a comparison with other local authorities including Northamptonshire and Oxfordshire County Councils.

A traffic light system has been used to recognise areas of good practice observed and to help categorise the importance of recommendations made. Green highlights areas of good practice, amber shows where action is required, whilst red highlights areas to be addressed promptly to ensure effective highways development management

Many of the recommendations that form part of the PB report focus around four key areas; documentation, resource, engagement and Transport for Buckinghamshire. These are summarised below, but the decisions now to be taken are around how to react to these



recommendations, what to take forward as a matter of priority, and how to resource this (if appropriate).

By bringing this report to the Select Committee, we are proactively seeking the views of the committee in determining/agreeing the areas of most immediate concern, and providing opportunity to advise the Cabinet Member ahead of any decision on resource allocation.

1. Documentation:

Make more documentation publicly available to developers in a more organised way:

External developer guidance documentation			
Document	Present	Quality	Priority
Sustainable Communities Strategy	•	•	
Local Transport Plan	•	•	
Development Management Policies	•	•	✓
Infrastructure Contributions guidance (S106/CIL)	•	•	
Information on Section 38/278 Highway Works	•	•	✓
Commuted Sums Protocol	•		✓
Pre-application process information	•		
Design Guide	•		✓
Materials Guide	•		✓
Development Construction Manual	•		
Parking Standards	•	•	✓
Rural Diversification	•		
Travel Plan Guidance	•	•	
Sustainability Appraisal	•	•	
Equality Analysis	•		
Biodiversity Action Plan	•	•	
Standard Drawings	•		✓
Internal development management documentation			
Document	Present	Quality	Priority
Standard Conditions	•		✓
Acceptance and refusal templates	•		
S38/278/106 agreement templates	•	•	
S38/278/106 instructions	•	•	
S38/278/106 process flow charts	•		✓
S38/278/106 central tracking databases	•		✓
S38/278 bond calculation sheets	•		✓
Criteria for abridged S278/S184	•		
Fee structure information (inc. commuted sums)	•		✓
S106 developer contributions spending & negotiation tracker	•		
Infrastructure needs identified for S106	•		



Guidance/checklist for technical approval	•		✓
Planning and adoption checklist	•	•	
Email/post handling guidance	•		
Income processing guidance	•		✓

Key	Present	Quality
•	Present	No improvement needed
•		Some improvement needed
•	Not present	Significant improvement

2. Resource:

Ensure resourcing levels are adequate to fulfil Highways DM remit by recruiting extra staff.

Grade	Current no of staff	Suggested level of staff
Management	2 (1 vacant)	2
Senior & Lead Officer DM	3 (1 vacant)	4
Officer	1 (1 vacant)	2
Transport coordinators	2	2
Inspectors	2	4
Technicians	3	4
Total	13	18

Table 3: Current, and suggested staffing levels

3. Engagement:

Ensuring focus remains on core Highways DM activities, reducing the current high level of communication with the public.

4. Transport for Buckinghamshire:

Re-evaluating relationships with TfB putting KPI's in place to ensure the needs of the Highways Development management team are met by the contract and reassess the number of days assigned to TfB for Highways DM work.

Key issues

The report highlights evidence of the following 'good practice' within the Highways Development Management Team:

Good practice

Detailed guide notes alongside application forms and template agreements for Section 278, S108, S184 and S103 agreements.

Excellent example of local level guidance: Highway Protocol for Conservation Areas document. This represents a formal agreement between BOC and Aylesbury Vale DC a model which could



be used again.

Template application forms and advice relating to Section 27B, 38, 184 and 310C applications, as well as a communication strategy, development control crib sheet, approval, adoption and pre-empt meeting checklist and a Section 184 advice flowchart.

BCC Highways Development Management Officers are providing a very high level and volume of communications with BCC Councillors and the public.

In particular it was noted that the level of communication with Members and the public is commendable, albeit an incredibly resource-intensive process.

The report however does outline a further 32 recommendations, of which 12 have been categorised as areas to be addressed promptly. The Highways Development Management team have already started implementing changes, predominantly focusing on those recommendations that would result in efficiency savings without any financial outlays.

The table in Appendix 1 lists the recommendations from the report and identifies them as either a short (0-4 months), medium (4-12 months) or long term (over 12 months) aspirations.

Next Steps

Implementing solutions to each of the areas of recommendation within the report will have both time and cost implications. Many of the recommendations stress the need to get standardised advice and protocols in place to both secure quality and streamline processes, a proportion of which can be bought in (albeit with a range of financial implications). However, of more critical concern is the ongoing staffing resource 'deficiency' when compared to levels at other authorities. The PB report states that the Highways Development Management team at Buckinghamshire County Council is small in comparison to other authorities. Other local authorities dealing with a similar number of applications have upwards of 20 staff, whilst the Highways Development Management Team only has 13 (with 3 vacant posts). This is unlikely to be sustainable going forward and the council's current response rates are commensurate with this level of resource.

The Service Director will be discussing the report, together with any observations from the committee, with the Cabinet Member to determine how future resourcing need can be addressed. This will therefore need to be considered in the context of future MTP discussions. The Head of Highways Development Management, when appointed, will be expected to action the recommendations set out in the review, taking into account both the prevailing limitations in resources and finance.





Appendix 1 – Recommendations

Short Term	0 - 4 months
Medium Term	4 – 12 months
Long Term	Over 12 months

Ref	Description	Solution	Management Comments	Lead Officer	Implications	Completion date	Completed
(1)	There are clear gaps in the publicly available guidance on the BCC website. Feedback around application and design guidelines	It is recommended that these documents plus the information pack are immediately made available publicly through the BCC website. This will lighten some workload from the DfT team whilst also bringing BCC into line with other local authorities in the region.	To be actioned when all external documents have been revised and/or produced in line with recommendations: 03/04/08	Head of Highways DM	Possible Efficiency Savings Financial Implications – to be considered by MTP.	Long Term	Completed
(2)	Life cycle costing of planning applications is not currently available. It is recommended that a spreadsheet be developed to capture the costs of applications. This spreadsheet should be used to capture the costs of applications and to provide a summary of the costs of applications. This spreadsheet should be used to capture the costs of applications and to provide a summary of the costs of applications. This spreadsheet should be used to capture the costs of applications and to provide a summary of the costs of applications.	It is recommended that a spreadsheet be developed to capture the costs of applications. This spreadsheet should be used to capture the costs of applications and to provide a summary of the costs of applications. This spreadsheet should be used to capture the costs of applications and to provide a summary of the costs of applications.	Highways Development Management already record planning applications through Uniform and Highway Agreements using excel. The two programmes are however not linked. The team will investigate options for tracking the life-cycle of planning applications, including archiving of documents. This may require development of a database. Additional administrative resource will be required in order to manage a database (please refer to recommendation 09).	Head of Highways DM	Finance implications – to be considered by MTP	Medium Term	

Appendix 1 – Recommendations

<p>The Highway Design Code (HDC) has been introduced to provide a common standard for all highway designs. This will ensure that all highway designs are consistent and meet the same standards. The HDC also provides guidance on the design of highway structures and the use of materials. It is expected that the HDC will lead to a more consistent and higher quality of highway design across the country.</p>	<p>Standard Details will need to be created in consultation with Transport for Buckinghamshire. The development of Standard Details will need to be outsourced. In the meantime Highways DM are trying to gain access to British Standards through TfB. All reasons for refusal are now signed off by a Senior Member of the Highways DM team and sent out in their name. Moving forward the scheme of delegation within Highways DM will need to be revised, which could be included in the internal documents that are required as a result of the report.</p>	<p>Head of Highways DM and Head of Highways Client</p>	<p>Finance implications – to be considered by MTP</p>	<p>Long Term</p>
<p>The Highway Design Code (HDC) has been introduced to provide a common standard for all highway designs. This will ensure that all highway designs are consistent and meet the same standards. The HDC also provides guidance on the design of highway structures and the use of materials. It is expected that the HDC will lead to a more consistent and higher quality of highway design across the country.</p>	<p>Currently Highways DM does not have administrative support. This is to be considered alongside recommendation 09. Discussions are taking place with the Business Planning and Commercial Development team and Business Support to secure assistance. Work has already been undertaken by Highways DM to develop a new</p>	<p>Head of Highways DM</p>	<p>Finance implications – to be considered by MTP</p>	<p>Short Term</p>
<p>The Highway Design Code (HDC) has been introduced to provide a common standard for all highway designs. This will ensure that all highway designs are consistent and meet the same standards. The HDC also provides guidance on the design of highway structures and the use of materials. It is expected that the HDC will lead to a more consistent and higher quality of highway design across the country.</p>	<p>Work has already been undertaken by Highways DM to develop a new</p>	<p>Head of Highways DM</p>	<p>Possible efficiency savings</p>	<p>In progress</p>



Appendix 1 – Recommendations

<p>10. The current system requires a significant amount of time to be spent on minor planning applications. This will need to be reviewed by the Cabinet Member for Transport prior to discussions with the Local Planning Authorities.</p>	<p>process in order to reduce the length of officer time spent on minor planning applications.</p> <p>This will need to be reviewed by the Cabinet Member for Transport prior to discussions with the Local Planning Authorities.</p>			
<p>11. A current DM currently save all planning application responses and associated files on the N-Drive. A new process will be created for the handover of files – including a meeting with officers (as per recommendation 07/21).</p> <p>The handover should be assisted through the creation of a database to track the lifecycle from planning application to agreement (recommendation 05).</p>	<p>Highways DM currently save all planning application responses and associated files on the N-Drive. A new process will be created for the handover of files – including a meeting with officers (as per recommendation 07/21).</p> <p>The handover should be assisted through the creation of a database to track the lifecycle from planning application to agreement (recommendation 05).</p>	<p>Resource Implications – to be considered by MTP.</p>	<p>Short Term</p> <p>Medium Term</p>	
<p>12. The current DM currently save all planning application responses and associated files on the N-Drive. A new process will be created for the handover of files – including a meeting with officers (as per recommendation 07/21).</p> <p>The handover should be assisted through the creation of a database to track the lifecycle from planning application to agreement (recommendation 05).</p>	<p>Model process flow charts for dealing with agreements are to be developed by Highways Development Management in consultation with the Business Planning and Commercial Development team (as per recommendation 07).</p>	<p>Resource Implications – to be considered by MTP.</p>	<p>Short Term</p>	

Appendix 1 – Recommendations

<p><i>(Redacted text describing background context and recommendations)</i></p>	<p>This has been implemented. This will also be included in the protocol to be produced (as per recommendation 21).</p>	<p>Head of Highways DM</p>	<p>Completed</p>	<p>✓</p>	
<p><i>(Redacted text describing recommendation 21)</i></p>	<p>Highways DM will liaise with Head of Highways Client to ensure that KPI's are included within the contract.</p>	<p>Head of Highways DM and Head of Highways Client</p>	<p>Medium Term</p>		
<p><i>(Redacted text describing recommendation 22)</i></p>	<p>Highways DM will liaise with Transport for Buckinghamshire to review the number of support days required and ensure a process for monitoring time spent on Highways DM work throughout the year.</p>	<p>Head of Highways DM and Head of Highways Client</p>	<p>Short Term</p>		

Appendix 1 – Recommendations

<p>to be reviewed.</p> <p>It is recommended that the recommendations of the report be implemented as a matter of priority. The recommendations are set out in the table below. It is recommended that the recommendations be implemented as a matter of priority.</p> <p>The recommendations are set out in the table below. It is recommended that the recommendations be implemented as a matter of priority.</p>	<p>Highways DM to produce a list of requirements for contractors working on the publicly maintained highway, considering best practice from other councils.</p>	<p>Highways DM Transport Coordinator</p>	<p>Short Term</p>	
<p>103</p> <p>On a strategic level, whilst the Birmingham City Council Strategic Plan does include a planning and transport portfolio, it is recommended that the recommendations of the report be implemented as a matter of priority.</p>	<p>ECG's website contains the basic information available to the public. It is recommended that the recommendations be implemented as a matter of priority.</p>	<p>Head of Highways DM and the Business Planning and Commercial Development team</p>	<p>Long Term</p>	
<p>104</p> <p>On a strategic level, whilst the Birmingham City Council Strategic Plan does include a planning and transport portfolio, it is recommended that the recommendations of the report be implemented as a matter of priority.</p>	<p>ECG's website contains the basic information available to the public. It is recommended that the recommendations be implemented as a matter of priority.</p>	<p>Head of Transport Strategy</p>	<p>In progress</p>	

Appendix 1 – Recommendations

104	<p>plan. Its role is to inform development management.</p> <p>Developers are referred to national guidance such as the Manual for Streets regarding design and construction.</p>	<p>BCG reviewed publicly available guidance. This document should undergo an appraisal process similar to the MTP. It could even be included as part of the next MTP for Buckinghamshire, due to release in March 2016.</p> <p>It is recommended BCG produce supplementary or situational design consultation and/or materials guides to development work in the county.</p>	<p>The development of design, construction and/or material guides would need to be outsourced.</p>	<p>Head of Highways DM and Head of Highways Client</p>	<p>Financial implications – to be considered by MTP.</p>	<p>Long Term</p>	
107	<p>Current processes for processing incoming applications and streets are inefficient but not clearly defined. This has been evidenced through robust procedures and meaningful important groups. Sometimes the themselves are a bit out of the loop during correspondence.</p>	<p>It is recommended that Figures 3-6 should be used to form the basis of a clearly defined process outlining how BCG will conduct development management.</p>	<p>Model process flow charts for dealing with planning applications and agreements are to be developed by Highways DM in consultation with the Business Planning and Commercial Development team.</p>	<p>Head of Highways DM and the Business Planning and Commercial Development team</p>	<p>Possible Efficiency Savings</p>	<p>Short Term</p>	
108	<p>The review highlighted several documents which could provide efficient consistency and transparency across the development management process.</p>	<p>It is recommended that BCG review the current portfolio of internal documents and strongly consider the benefits of implementing some or all of these additional documents highlighted in figure 2 in leading a consistent, clearly</p>	<p>Table 2 of the report highlights the current availability of internal and external Highways DM. The development of internal and external documents would need to be outsourced or additional resources provided within the team to undertake this</p>	<p>Head of Highways DM</p>	<p>Resource and financial implications – to be considered by MTP</p>	<p>Medium/ Long Term</p>	

Appendix 1 – Recommendations

109	<p>The BCC DM team is small in comparison to similar authorities, even considering the increase in jobs brought about by the TEE process. The DM team also pick up extra work relating to statutory highway functions of BCC</p>	<p>defined and streamlined process</p>	<p>work.</p>	Head of Highways DM	Financial implications – to be considered by MTP	Medium Term	
110	<p>BCC DM officers provide a high quality of commitment with BCC Councilors and the public. Whilst resource intensive process is evolving DM officers non completing their core work. It is also needed to raise the level of expectation amongst the public as to the level of communication they expect of a Councillor</p>	<p>Additional staff resources (Highways Development Management Lead Officer and Highways Development Management Officer) should help however the review team feel that the number of DM officers is still not enough and recommends that the DM team be increased. Suggested areas for release are shown in table 3</p>	<p>The report highlights a need for an increase in staff numbers at every level considering the new TEE structure. It was noted that other local authorities dealing with a similar number of application have upwards of 20 Highways DM staff.</p> <p>In order to implement the recommendations within the report, additional resources will be required.</p> <p>In the short term ensuring current vacancies are filled will be prioritised.</p>	Highways DM Team Leader	Possible efficiency savings	Short Term	
111	<p>Despite an move towards regional staff roles, some BCC staff including transport</p>	<p>It is recommended that the DM team take a step back from the significant levels of operations. Particularly with the mobile level of operation needs to be reassessed. Develop a more manageable level. Develop a level of operation that the public and Councillors in normal circumstances are used to. The EPA also have a consultation role.</p>	<p>Assigning regions to inspectors will only be possible if additional resources are secured</p>	Head of Highways DM and Transport Co-ordinators	Resource implications – to be considered by MTP	Long Term	

Appendix 1 – Recommendations

	<p>ordinators and inSpeakers must cover work across the entire county</p>	<p>require recruitment of extra inspectors to provide adequate coverage as shown in table 3</p>	<p>(please refer to recommendation 09)</p>	<p>Head of Highways DM</p>	<p>Resource implications- to be considered by MTP</p>	<p>Long Term</p>	
12	<p>The DM team are responsible for providing advice to the LPA when they are producing their Local Development Plans (LDPs). DM officers have not have had the time required to give serious thought to the impact of local plan development and this may be limiting future applications</p>	<p>More time and resource needs to be spent on communication with the district councils regarding their LDPs so that they do not become a limitation to proceedings. The quality of the DM responses to the LDP process should be reviewed and lessons learned more created</p>	<p>Highways DM would not be able to offer this level of service based on staffing levels in the current structure (please refer to recommendation 09).</p>	<p>Head of Highways DM</p>	<p>Resource implications- to be considered by MTP</p>	<p>Long Term</p>	
13	<p>Reasons for refusal may not be properly justified in all cases. These can lead to appeals which lead to diversion of effort to respond and may lead to costs against the authority for unreasonableness</p>	<p>Ensure that adequate trainings is provided to staff and that knowledge is continuously maintained. As an example, in Suffolk all new staff above technician level attend the 4 day LFE course (on Development Management)</p>	<p>Four members of the team are currently undertaking a HNC in Engineering. Learning and Development Plans are to be created for all members of the team. TEE has an identified training budget to support this.</p>	<p>Head of Highways DM and Team Leader of Highways DM</p>	<p>Resource implications -- to be considered by MTP.</p>	<p>In progress</p>	
16	<p>It was noted that some Local Planning Authorities can be slow to forward applications and can fail to provide on to BCC other people's consultation responses which are relevant to transport</p>	<p>BCC should make a commitment to improve the working relationships with the planners - Spend more time with the planners and can do more frequent visits to the LPA</p>	<p>Where feasible, Highways DM have agreed to work from District offices once a month to improve relations with planners. Due to current pressures and limited resources, officers are unable to be</p>	<p>Head of Highways DM</p>	<p>Resource implications -- to be considered by MTP.</p>	<p>In progress</p>	

Appendix 1 – Recommendations

<p>17</p> <p>This may be as a result of relatively poor relationships between the DM team and the LPA</p> <p>BCC are consulted applications from our local planning Authorities, BCC's standard conditions of each one of these districts is different. This makes it hard for by DM to respond quickly and efficiently and may result in the mistakes.</p>	<p>offices. Be available and willing to discuss larger applications through the process rather than simply sending a final response.</p> <p>This is recommended that a single set of standard conditions should be created and agreed across all of the LPAs. A review against other local Authorities should be carried out to ensure that wording of each condition is correct and that all appropriate standard conditions are included.</p>	<p>available to discuss large applications throughout the process (please refer to recommendation 09).</p> <p>Highways DM are in the process of producing standardised conditions and reasons for refusal which can be used across all four districts.</p>	<p>Senior Highways DM Officer</p>	<p>Possible efficiency savings</p>	<p>In progress</p>	
<p>20</p> <p>Such permits are being used for smaller scale road works. This section of the act does not provide the same level of protection to BCC as may leave BCC open to paying to deal with issues arising from the works.</p>	<p>Time review team recommends that S184 permits are retained for minor access alterations and additions. Works of the value of £15,25000 should be carried out under a shortened or abbreviated S278 agreement.</p>	<p>This will be taken forward with legal services. The existing guidance notes will need to be revised by Highways DM.</p>	<p>Highways DM Transport Coordinators</p>	<p>Financial Implications – to be considered by MTP</p>	<p>Medium Term</p>	
<p>23</p> <p>S276 guidance documents will help to reduce the burden on DM officers when dealing with S276 works.</p>	<p>This is recommended that a set of documents are produced or revised and made available to developers. A shorter version of guidance should be developed or bridged S276</p>	<p>Guidance notes and Fee schedules to be updated and revised by Highways DM.</p>	<p>Head of Highways DM</p>	<p>Resource implications - to be considered by MTP</p>	<p>Medium Term</p>	

Appendix 1 – Recommendations

		<p>works and access alterations under S27.</p>	<p>Check lists and sign off sheets to be created for use within the inspection process, building on the work already undertaken by the Highways DM team.</p>	<p>Highways DM Transport Inspectors</p>	<p>Resource implications – to be considered by MTP</p>	<p>Medium Term</p>	
<p>24. Some processes and checklists have been created by the team to help improve the inspection process. The review team feel that there are potential benefits from ensuring consistency across the board.</p>	<p>It is recommended that these documents are used as the backbone to a set of guidance documents, checklists and sign off sheets for use within the inspection process. These should be made publicly available to allow developers to be aware of their own requirements.</p>	<p>This will be taken forward with legal services.</p> <p>There is a need to review our standard legal agreements.</p> <p>In order to offer this level of service additional resources will be required (please refer to recommendation 09).</p>	<p>Head of Highways DM</p>	<p>Financial implications – legal fees</p>	<p>Short Term</p> <p>Medium Term</p>		
<p>25. BCC should protect itself from future overrunning schemes and poorly performing contractors.</p> <p>26. The necessity of road closures caused by a poorly performing contractor can be further mitigated by means of government agreed with the promoter</p>	<p>The S276 agreements should be amended to include a wider of works and a description of the application process including additional fees in order to provide BCC with greater control over the process.</p> <p>It is recommended that the S276 agreement for large schemes should include a requirement for the contractor to participate in a pre-board and to operate to the authority's satisfaction.</p>	<p>Resource implications – to be considered by MTP</p>	<p>Head of Highways DM</p>	<p>Resource Implications- to be considered by MTP</p>	<p>Long Term</p>		

Appendix 1 – Recommendations

27	<p>Assurance will be a part of the project board structure and will ensure proactive involvement in issues of capability and minimising risk of disruption to road users</p>	<p>In order to deliver more proactively on inspection resources and to augment skills available to assurance this recommendation is supported with assurance support from external sources during works of a potentially disruptive nature</p>	<p>In order to offer this level of service additional resources will be required (please refer to recommendation 09).</p>	<p>Head of Highways DM</p>	<p>Resource Implications – to be considered by MTP.</p>	<p>Long Term</p>
29	<p>The main issue encountered by the reviewers concerning technical approvals are related to the issue of technical approval</p>	<p>It is also recommended that the number of man days required to support the Highways DM teams reviewed in this consideration that there is a need for greater time when this should be agreed with the DMs who will be responsible for real time specialist in house given that the cost of bringing in experts above the fixed number of days agreed upon is so much more expensive and given the need for the work to be carried out quickly this might be a solution which is relatively cost neutral</p>	<p>Highways DM will liaise with Transport for Buckinghamshire to review the number of support days required and ensure a process for monitoring time spent on Highways DM work throughout the year.</p>	<p>Head of Highways DM/ Head of Highways Client.</p>		<p>Short Term</p>
32	<p>BCC does not currently have standard details</p>	<p>Standard details for items such as</p>	<p>Standard Details will need to be created in</p>	<p>Head of Highways DM/</p>	<p>Finance Implications – to be</p>	<p>Long Term</p>

Appendix 1 – Recommendations

	<p>of construction of typical highway features. While details are provided in individual sets of S278 plans, a standard set is desirable in the interests of standards and items for future maintenance.</p>	<p>illuminated bollards street lighting traffic signals, access, pavement construction and special paving should be provided.</p>	<p>consultation with Transport for Buckinghamshire. The development of Standard Details will need to be outsourced. In the meantime Highways DM are trying to gain access to British Standards through TfB. Highways DM to create a process of assessing non-standard designs in consultation with TfB Asset Management.</p>	<p>Head of Highways Client.</p>	<p>considered by MTP.</p>		
33	<p>Innovative or non standard design outside the scope of DMR, for instance special paving required to address reasons non-compliant crossings and textured paving, has to be design liability and penalties under Health and Safety legislation, elsewhere on public and private roads.</p>	<p>This is recommended that any non standard design is accompanied by a sufficient risk assessment and competent approval. They will need to be agreed by the TfB Asset Management team.</p>	<p>Highways DM Transport Co-ordinator</p>	<p>Short Term</p>			
34	<p>BC should provide input from future works unlikely affecting the operation of the road network.</p>	<p>When S278 works are of traffic sensitive areas, it is recommended that a simple assessment of traffic delays during stages of construction and where possible options to minimise delays should be provided. The assessment may show the relative impact on construction cost and traffic delays of alternative options.</p>	<p>Highways DM to create a process for assessing traffic management on sensitive roads in consultation with TfB Street works team.</p>	<p>Highways DM Transport Co-ordinator</p>	<p>Short Term</p>		

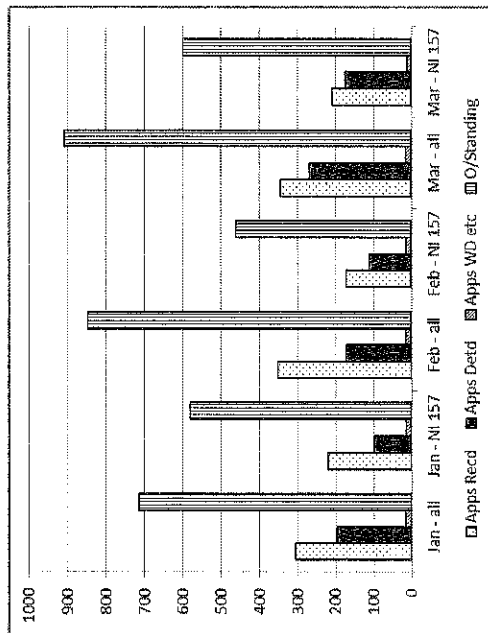
Introduction

This is the quarterly report to the Development Management Committee which provides a summary of performance in four key areas of work, planning applications, appeals, enforcement and informal enquiries, together with a brief commentary on each section.

Section 1: Applications received and determined

Our application caseload comprises applications which form the basis for our performance measured against the Government performance target NI157 and other applications which are excluded from these categories and relating to proposals amongst which are applications from the County Council, Notifications for Agricultural, Telecommunications and works to trees.

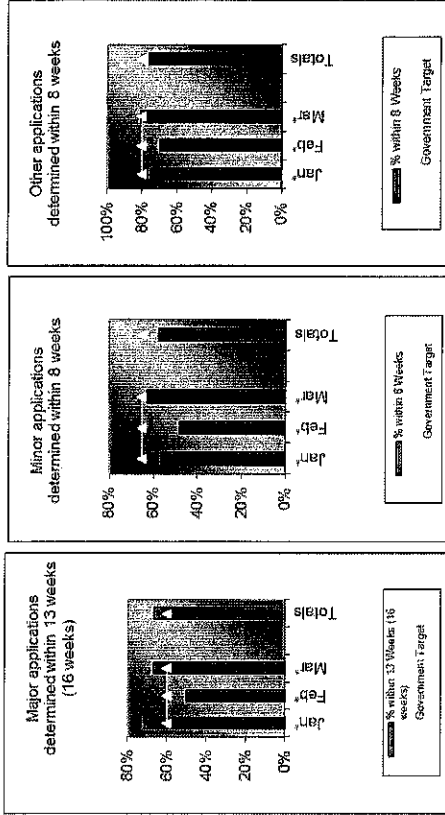
Applications Received and Determined



Section 2: NI 157 – Speed of Determination of applications

Introduction

This section sets out information regarding our performance in speed of decision for each of the 3 categories of applications, which are measured against the performance target – NI157 (a) major, (b) minor, and (c) other.



	Jan*	Feb*	Mar*	Totals
Number of Major Applications Decided	7	2	6	15
Number within 13 Weeks (16 weeks)	5	1	4	10
Government Target	60%	60%	60%	60%
Number of Minor Applications Decided	32	23	54	109
Number within 8 Weeks	18	11	34	63
Government Target	65%	65%	65%	65%
Number of Other Applications Decided	72	73	114	259
Number within 8 Weeks	54	51	92	197
Government Target	80%	80%	80%	80%
Total Decisions	111	98	174	383
Total Decision within time	77	63	130	270

We have exceeded the majors target for the quarter January - March. The performance of the 2 area teams for the quarter is set out on the next page.

*Includes those where extensions of time have been agreed in accordance with DCLG performance measures

Summary

In the quarter between January - March a total of 23 appeals were determined, 18 of which were against refusals of planning permission. Of the appeals against refusals of planning permission which are used for reporting purposes (14), 7 (50%) were allowed which is above the Council's target of not more than 35% appeals allowed.

Attached at Appendix 2 is a summary of all of the appeal(s) which are used for reporting purposes against refusals of planning permission that were allowed with an analysis and a note of learning points.

Section 4: Enforcement

Introduction

This section details statistics relating to Enforcement matters and details the numbers of complaints received, cases closed together with the number of cases which have led to Enforcement action. Enforcement appeals are also dealt with separately and performance can be assessed accordingly.

Cases on hand at beginning of quarter	265	Cases on hand at end of quarter	254
Cases Opened	104	No of Cases closed	115
No. of Instructions to Legal to Initiate Enforcement etc. Action	-	No. of Temporary Stop Notices Served	0
No. of Enforcement Notices Served	3	No. of Breach of Condition Notices Served	1
No. of Stop Notices Served	0	No. of Planning Contravention Notices Served	0

Enforcement Appeals

Lodged	PI	0	Determined	Allowed	0
	IH	2		Dismissed	1
	WR	1		W/Drawn	0
	Total	3		Varied	0
				Total	1
Costs	For AVDC	0		Against AVDC	0

Summary

	WEST	EAST	Totals
Number of Major Applications Decided	6	9	15
Number within 13 Weeks (16 weeks)	3	7	10
Number within 16 Weeks (16 weeks)	60%	60%	60%
Government Target	55	54	109
Number of Minor Applications Decided	30	33	63
Number within 8 Weeks (16 weeks)	65%	65%	65%
Government Target	123	136	259
Number of Other Applications Decided	101	86	197
Number within 8 Weeks (16 weeks)	80%	80%	80%
Government Target	187	196	383
Total Decisions	134	136	270
Total Decision within time			

Appendix 1 details the Major applications determined in the quarters, together with a commentary on those determined outside the target time.

The first planning authorities subject to the Government's "special measures" regime for under-performing authorities were designated in October 2013, and performance data was published by the Department for Communities and Local Government (DCLG). Designations will be reviewed annually. Poorly performing authorities will be "designated" based on speed and quality:

- * Speed: less than 40% of majors determined within 13 weeks averaged over a two year period, or within such extended period as has been agreed in writing between the applicant and the local planning authority.
- * Quality: 20% or more of major applications that have been overturned at appeal (appeals allowed) over a two year period.

Authorities could be designated on the basis of either criteria or both. The current performance over this 2 year period exceeds the threshold for speed and is less than the threshold for quality and thus does not fall within the poorly performing designation.

Section 3: Appeals against refusal of planning permission

Introduction

This section deals numerically with our performance in relation to appeals against refusal of planning permission. Whilst there is no government performance target a benchmarking measure is that we should seek to achieve success in 65% or more of appeals against planning decisions.

January - March

Determined	Dismissed	7
	Allowed	7
	Withdrawn/NPW	0
	Split	0
	Turned Away	0
	Total	14
Costs	Against AVDC	0

The number of cases to hand at the end of the quarter continues to be reduced and the number of cases closed is greater than the new cases received. A review of the enforcement service is currently being carried out looking at efficiencies and improving the service.

Section 5: Other Workload

Introduction

In addition the teams have dealt with the following:-

Discharge of Conditions and non material amendments.

Quarter – Out	Jan - Mar 42
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Chargeable Pre-Application Advice, including commercial

Quarter - Out	Jan - Mar 133
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Non chargeable Informals

Quarter - Out	Jan - Mar 15
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Conclusion and Recommendation

It is recommended that the Committee **NOTE** the report.

This report primarily intends to give details of factual information based on statistical data.

It is hoped that Members find it the content helpful.

Major Applications Determined: Quarter 01/01/15 – 31/03/15

Bold numbers denote applications determined outside the target period. Performance for this quarter is 60% which is on target; * denotes those applications that had an extension of time request agreed. The small number of applications mean that performance is volatile and in this quarter involved applications where securing the right outcome outweighed the need to meet targets and applications where the revocation of the regional spatial strategy required a reassessment of the scheme.

Reference	Off Received	Proposal	Address	Valid	Decision Date	Decision
13/0662/ADP*	CLH	20/12/13	Approval of reserved matters pursuant to outline permission 09/02130/A/OP relating to landscaping, layout, scale and appearance for the erection of 16 dwellings	20/12/13	18/01/15	Details Approved
14/00426/A/OP*	SWE	17/02/14	Outline application (with access to be considered) and all other matters reserved for the demolition of 7 & 9 Brook Street and redevelopment to provide up to 29 dwellings with new access, roads, parking, landscaping, drainage, on-site LAMP and open space.	20/06/14	19/01/15	Approved
14/00702/A/PP*	RN	12/03/14	Erection of 64 dwellings with associated parking, garages and amenity spaces (Phase 3)	20/06/14	30/01/15	Approved
14/01431/A/OP	SP	16/05/14	Outline application with access and layout to be considered and all other matters reserved for the erection of eleven dwellings with the formation of a new access	16/05/14	26/02/15	Approved
14/01740/A/PP*	JHA	13/06/14	Redevelopment of site to provide 20 dwellings including associated parking, landscaping and access road.	02/07/14	25/03/15	Approved

14/01794/A/OP*	CLH	17/08/14	Outline application with access, layout and scale to be considered and all other matters reserved for the provision of 2 new public squares and adjoining public realm (855sqm), residential floorspace up to 675sqm, 87sqm of retail use (A1), 311sqm food and beverage units (A3, A4 and A5), 192sqm commercial space, 700sqm of community use (D1) and car parking.	21/08/14	08/02/15	Details Approved
14/02519/A/DP*	CBR	21/08/14	Approval of reserved matters of access, layout, scale, landscaping and appearance pursuant to outline permission 11/02116/A/OP erection of 86 dwellings and approval of design code in accordance to Condition 4 of the Outline planning approval.	21/08/14	13/03/15	Details Approved
14/02672/A/DP*	MD	09/09/14	Approval of reserved matters pursuant to outline permission 03/02386/A/OP relating to appearance, landscaping, layout and scale for Parcel HW17 comprising the construction of 124 residential dwellings	10/09/14	19/01/15	Details Approved
14/02875/A/OP	SWE	30/09/14	Outline planning application with layout and scale to be considered at this stage and all other matters reserved for a part 3-storey, part 4-storey, part 5-storey extension to provide 24 apartments with car parking at ground floor level.	16/10/14	16/01/15	Refused
14/02916/A/PP*	MD	03/10/14	Demolition of former public house and erection of a 14 bed residential care home and 8 flats of supported living accommodation with associated parking, landscaping, bin and cycle store.	03/10/14	22/01/15	Approved
14/03023/A/PP	MD	15/10/14	Demolition of existing building, erection of replacement building to accommodate retail farm shop, store, stabling, tack room and feed storage, siting of portable toilet block and construction of Manage with associated landscaping and parking provision.	29/12/14	11/03/15	Approved
14/03046/A/OP*	PAH	16/10/14	Outline planning application with access reserved for up to 80 dwellings (Lease Class C3) with associated access and all other matters reserved on land off North End Road, Steeple Claydon.	17/10/14	08/03/15	Outline Permission Refused

APPENDIX 2

Appeal performance – Quarter 01/01/15 – 31/03/15

In the quarter between January – March a total of 23 appeals were determined, 18 of which were against refusals of planning permission. Of the appeals against refusals of planning permission which are used for reporting purposes (14), 7 (50%) were allowed which is above the Council's target of not more than 35% appeals allowed.

A summary of all the reportable allowed appeals in this quarter is set out below.

Application Reference: 14/01212/APP	Decision: Delegated
Site: 63 Welbeck Avenue Aylesbury Buckinghamshire HP21 9BJ Development: Single storey front and first floor side extensions Analysis: Permission was refused for reason that the proposed first floor side extension by virtue of the proposed size, massing, bulk and location would appear dominant to the design of the original dwelling. It would appear incongruous and intrusive in the street scene to the detriment of the character of the area, contrary to AVDLP policies GP9 and GP35 and the adopted Design Guide 'Residential Extension'.	The appeal property occupies a corner plot at the junction of Welbeck Avenue and Ingram Avenue. The Inspector considered that the proposed first floor extension would be built above an existing single storey extension and would span just over half the depth of the house. With a roof pitch matching that of the existing property, the ridge height of the first floor extension would be significantly below that of the main roof. Although it would extend the width of the 6 metre front elevation of the house by a further 4.2 metres, the extension would be set back slightly from the front face of the brickwork which forms the existing corner of the house. These features, in combination, would ensure that the first floor extension would not dominate the existing dwelling. The size of the extension would not begin to meet the size of the original dwelling and the architectural integrity of the existing dwelling would not be challenged. Properties in the area have been altered and extended in a variety of ways. Given the corner plot location and substantial distance between the appeal site and other properties the proposal would not lead to any material harm to the spacious character of the surroundings. The proposed extensions have been designed with due regard to the character and appearance of the existing property and have taken into account the guidance set out in the Design Guide 'Residential Extensions'.
Application Reference: 14/00625/APP	Decision: Delegated
Site: 29 Nelson Road Dagnall Buckinghamshire HP4 1RF Development: Single storey rear and two storey side extension Analysis: This application was refused on the basis of the siting, scale, design and bulk failing to compliment or appear sufficiently subordinate to the character and appearance of the dwellings, would appear prominent and intrusive to the detriment of the AONB and green belt contrary to the NPPF and AVDLP policies GP8, GP9 GP35 and RA18. The Inspector commented that the appeal site comprises a modest, semi-detached dwelling situated at the end of a small cul-de-sac adjacent to a recreation ground, within the village of Dagnall. The proposal is to add a two storey side extension and a single storey rear extension. The character of Nelson Road is principally residential with pairs of two storey dwellings and one pair of bungalows evenly arranged around the cul-de-sac. Two storey side extensions have been added to some of the dwellings such as Nos 3 and 11 and two storey rear extensions have been	Learning Points: This decision turned on a matter of judgement and the Inspector did explain his conclusion for disagreeing with the council's decision.

14/03745/APP	PAH	23/12/14	R redevelopment of Plot 6 to provide one new light industrial unit with ancillary office space, associated parking and service yards (Class B1c, B2 and B8)	Long Crendon Industrial Estate Thame Road Long Crendon Buckinghamshire	24/12/14	17/03/15	Approved
14/03846/APP	MA	13/11/14	Erection of industrial/warehouse building (B1c, B2 and B8 class uses), associated parking and service yards (3) with ancillary office space and Park and a new light industrial unit (Plot 4 and 5 within Crendon Industrial Estate Thame Road Long Crendon Buckinghamshire HP18 9BB	Land At Westcott Venture Park Westcott Buckinghamshire	20/11/14	27/01/15	Approved
14/03256/APP	PAH	05/11/14	R refurbishment and part demolition of both	Pits 3, 4 and 5 Long Crendon Industrial	17/11/14	17/03/15	Approved

added to other properties such as No 27. In terms of appearance the regular spacing of the dwellings and the prominent two storey gabled projecting feature on the majority of them produce an attractive street scene.

The NPPF establishes that new buildings within the Green Belt are inappropriate unless, amongst other things, development involves the extension or alteration of buildings. This is provided that the extension or alteration of buildings does not result in disproportionate additions over and above the size of the original. Policy RA18 takes this approach.

There was a dispute over the increase in volume- the Council argued that this would add a further 47% in volume to the original dwelling, however the appellant disputed this and argued that there is no basis for the council using a figure of 25-30% as it is not mentioned in any policy or design guidance.

The Inspector considered that a measurement of volume is only one method for assessing the degree of change. The Inspector considered that the scale of the two storey side extension would not be disproportionate when compared to the form, bulk and height of the original dwelling. Moreover although the extension would occupy an undeveloped area, its size would not materially detract from the openness of the Green Belt. This is because the extension would be contained within the existing curtilage which is part of the built up part of the village. Also, as the appeal site lies at the end of the cul-de-sac, the extension would not result in the loss of a gap between the dwellings. In these circumstances the proposal would not be inappropriate development within the Green Belt and would comply with Policy RA18 of the LP.

The proposed development would be constructed in matching materials to the original dwelling and the size of the windows would be proportionate to those on the front and rear elevation. The Council were concerned that the proposed two storey extension would neither be set back from the front elevation nor set down from the height of the main roof. This would be contrary to guidance contained within the Supplementary Planning Document, Design Guide Residential Extensions.

The Inspector stated that a visual break between the original and the extended part of a building is only good design in some circumstances. At the appeal site a set back/set down would not be appropriate as it would draw attention to the extension which would detract from the uninterrupted clear-lines and visual prominence of the front gable. It would therefore neither be necessary nor desirable. The proposed development would maintain the integrity of the design of the original dwelling and would be similar to other, larger, two storey side extensions within the cul-de-sac. It would also not be intrinsically detrimental to the qualities of the AONB. In this respect the proposed development would not detract from the character and appearance of the surrounding area including the AONB. As such it would accord with Policies GP.9 and GP.35 of the LP which seek that extensions should respect the appearance of the dwelling and it setting. He gave these policies weight as they reflect the requirements within the Framework that planning should seek high quality design which adds to the overall quality of the area. The proposed development would also accord with the Framework's requirement to conserve the landscape and scenic beauty of the AONB.

the street scene and would result in a cramped form of development which would be to the detriment of the character and appearance of the area. Furthermore, the siting of the proposed dwelling on garden land, which the NPPF specifically excludes from its definition of previously-developed land where development may not be encouraged, would not be reflective of the mainly frontage development in the locality and would as such be out of keeping with the pattern of development in the locality, contrary to policies GP35 and RA13 of the AVDLP and with the advice given in the NPPF.

The Inspector commented that although development within the surrounding area is mainly characterised by properties fronting on to streets, the position of the proposed dwelling, located behind other dwellings, is not an uncommon pattern of development. A number of properties in the immediate vicinity on the opposite side of the main road are set back behind other buildings and have shared access. As such, the proposed development would reflect this pattern. The set back of the proposed house would avoid substantive built development on the frontage of the site and would not result in the harmful and unacceptable closing of a frontage gap.

He considered that the new dwelling would be a modest two bedroom property, of a scale, height and design that would reflect properties within the area. The orientation of the dwelling would face the main road albeit in a set back position, and would avoid undue overlooking of adjacent properties. The existence of some trees to the northern and eastern boundaries of the site within the gardens of adjacent properties, assist in screening the site. Adequate useable garden space for future occupiers of the property and for the existing occupiers of Avenue House would be provided.

The Inspector considered that NPPF does not preclude the development of garden land and in this case, AVDLP Policy RA.13 and Policy GP.35 provide support for the proposal, provided that there is no harm to the character and appearance of the surrounding area. As the proposal involves the development of a small infill plot within the settlement boundary, to an appropriate scale, height and design that reflects the character and pattern of the development within the locality, he concluded that it would not be overly prominent within the street scene and therefore would not have an adverse effect on the character and appearance of the surrounding area. The proposal is therefore in accordance with Policy RA.13 which seeks to promote appropriate development within settlements and Policy GP.35 which seeks to promote good design.

Learning Points:

This is a decision which turn on a matter of judgement and the Inspector has justified his conclusions in planning terms

Application Reference: 14/01648/APP	Decision: Delegated
Site: 16 Jacksons Close Edlesborough Buckinghamshire LU6 2RF	
Development: First floor front extension over the flat roofed section of the existing garage.	
Analysis: Permission was refused for reason that by reason of its height, width and the forward position over the double width garage, would appear overly dominant and out of keeping in the streetscene and with dwelling itself. The additional bulk would be clearly visible in views from the immediate surrounding area, representing a harmful intrusive feature within the streetscene. It would detract from the streetscene and character and appearance of the dwelling and would fail to comply with policy GP35 effect of the proposal on the character and appearance of the dwelling and surrounding area.	
No.16 Jacksons Close is a 2 storey modern detached dwelling located in a residential cul-de-sac. The immediately adjacent houses are similar in style with prominent double garages with flat roofs at their front elevations. The proposed single storey extension would be built above the flat roof of the garage to No.16. The Inspector considered that the extension would add to the massing of the building because of its height and bulk. However, it would represent a complementary, attractive design using matching materials and would not result in any	

significant harm to the character and appearance of the dwelling. The proposal would have the benefit of improving the integration of the garage within the form of the building. Similar extensions can be seen facing the entrance to the cul-de-sac at Nos 4 and 6 Jacksons Close. Although there is regularity in the design of some dwellings in the cul-de-sac, others at the southern end are more varied. Given this context the Inspector considered that there would be no harm to the character and appearance of the street scene from the proposed extension and the resultant variation in the form and design of the dwelling. The extension would not appear visually intrusive or unduly dominant.

In conclusion it was considered that the proposed extension would respect and complement the physical characteristics of the site and its surroundings and would not conflict with policy GP.35 or the *Design Guide: Residential Extensions* because it would improve the composition and architectural integrity of the existing building and would not overwhelm or detract from its character and appearance.

Learning Points:
The Inspector explained the rationale behind disagreeing with the council's decision.

Application Reference: 14/01834/APP **Decision:** Delegated

Site: Cross Lane Corner Cottage Main Street Tingewick Buckinghamshire MK18 4PH
Development: Demolition of existing timber building and erection of new dwelling house

Analysis: Permission was refused by reason of its siting and extent of built form of the development would result in a cramped overdevelopment of the site, which is poorly related to and fails to respect the existing appearance and character of the area. The development would fail to respect the amenities of the occupiers of the proposed dwelling and the neighbouring dwellings, contrary to policies GP8 and GP35.

The Inspector considered that the proposed layout has been designed to maintain off street parking for both the host property and the new dwelling, with each property having a private garden and did not consider the proposal to be either cramped or overdeveloped. That the dwelling house would be slightly higher than the existing timber building would not cause harm to the character and appearance of the area since in this part of the conservation area there is no overall consistency of roof height or pitch. The proposal would not fail to preserve the character and appearance or the significance of the conservation area. The proposal would therefore be consistent with GP.35, which seeks to respect and complement the characteristics of the site and its surroundings; and the historic scale and context of the setting. These objectives are consistent with the NPPF.

In terms of relationship to the neighbouring properties, he commented that the scale and massing of the building being similar to the existing timber building would not result in a significant loss of outlook for the properties that adjoin the site. The outlook from the proposed dwelling would be adequate, with the ground floor living accommodation opening out onto the garden area.

With regard to privacy whilst the council expressed concern over the 4m gap between the property and Corner Cottage, the Inspector considered that the proposed dwelling has been carefully designed to minimise overlooking and the rooms and their windows have been orientated to avoid direct window to window relationships despite the limited separation. The windows in the roof at first floor would allow a limited degree of overlooking, however given their higher position in the roof plane and their orientation the impact on privacy would be minimal. The proposal would not result in unreasonable harm to the living conditions of neighbouring properties and is consistent with AVDLP Policy GP.8, which seeks to protect the amenity of residents and ensure that the impact of any development is reasonable in relation to the benefits of the development. These objectives are consistent with the Framework.

Learning Points:
This is a matter of judgement

Application Reference: 14/01393/APP **Decision:** Committee

Site: 30 Main Road Drayton Parslow Buckinghamshire MK17 0JS
Development: Erection of detached outbuilding to form workshops purposes

Analysis: Planning permission was granted for an outbuilding to be used as an ancillary workshop to this house. Members will recall requesting that a condition be imposed which states that: "The outbuilding hereby permitted shall not be used for the housing of dogs, and shall not be occupied for any purposes other than as ancillary to the residential use of the property currently known as 30 Main Road, Drayton Parslow". This was imposed in order to preserve and maintain the residential character of the area and to comply with policy GP8

The Inspector commented that it is not disputed that the appellants have kept, bred and shown dogs as a hobby, and that they have kept them in the existing kennels at the property for many years. In this regard, there is no historical evidence from the Council, for example in the form of noise or odour complaints from neighbours, that would lead him to conclude that their hobby has in the past, or would in the future, result in amenity problems for neighbours relating to noise or hygiene. Notwithstanding this, he agreed with the appellants that the proposed solid construction of the permitted outbuilding would be far better at mitigating any noise than the current open fronted kennels.

While the Inspector appreciated the Council's concerns relating to the potential for future harm to neighbouring amenity and to the residential character of the area, in his view those concerns do not justify the imposition of condition No. 5 which prevents the appellants from keeping any of their dogs at all in the new outbuilding, and would severely restrict their ability to continue their hobby as they have done so previously. Amenity problems relating to noisy dogs can be controlled under other legislation. Alternatively, the Council could consider taking planning enforcement action should it consider that any future intensification of use were to result in a material change of use of the property.

The Inspector concluded that the condition also requires that the outbuilding shall not be occupied for any purposes other than as ancillary to the residential use of the property. This element of the condition is superfluous given that any material change of use of the property would require planning permission. In conclusion, the permitted outbuilding complies with the requirements of Policy GP8 and it is unnecessary and unreasonable to impose the disputed condition.

Learning Points:
This highlights the need for conditions to be justified in planning terms, with evidence of potential harm provided, and the controls by other legislation..

Application Reference: 14/02270/APP **Decision:** Delegated

Site: 68 High Street Waddesdon Buckinghamshire HP18 0JD
Development: Removal or variation of conditions 2 and 3 imposed by permission ref. 04/01824/APP to allow premises to be used other than by Mr P Farrelly and for purposes within Use Class B1 other than as an antiques and furniture restoration workshop

Analysis: The application was refused on the basis that applicant is not able to provide adequate provision for space within the site for parking and manoeuvring of vehicles clear of the highway and would therefore be likely to lead to additional on-street parking and to vehicles reversing onto or off of the highway to the detriment of public and highway safety. The development is contrary to the NPPF and the aims of Bucks Local Transport Plan 3.

Planning permission granted under 04/01824/APP, limits use to Class B1 (light industry) antiques and furniture restoration. The permission is also restricted to a named user, Mr Farrelly. The proposal here is to retain a Class B1 use (for light industry, business offices or research & development) on the ground floor, without the personal tie.

The inspector considered that the appeal site is in a sustainable location in the middle of the

village, next to a public transport route. Many users of the site are therefore likely to be able to access the premises by walking, cycling or bus. It is considered that the proposal represents only a minor potential increase in traffic. Traffic speeds are not high here and visibility from the parking area is reasonably good, to both the footway and to the main carriageway. The local road widening allows additional time for drivers to check traffic before pulling into the flow. There are other parking areas along the High Street where cars must also reverse in or out and none of the recorded injury accidents appear to relate to this type of movement. I recognise that the A41 High Street is heavily trafficked, but nevertheless the inspector found no substantive danger arising from a modest potential increase in vehicles using this site.

An application for an award of costs was refused as the Council did present a cogent and well-evidenced argument in regard to the important issue of highway safety. The original permission was granted due to the specific circumstances of the appellant's business and it was not unreasonable for the Council, upon consideration of the current situation, to seek the reversion of the premises to the original use once those circumstances no longer existed. The appellant also argues that the Council failed to work with the appellant in a positive or proactive way. It was noted that pre-application advice was not sought and the Council is under pressure to decide applications within set targets. In this case, it took the view that the proposal was unacceptable, in line with the advice of its expert advisor, and could not be made acceptable through negotiation. Although I cannot rule out the possibility that constructive discussions could have been helpful, it does appear that an appeal would have been necessary regardless. The Inspector found nothing unreasonable in the Council's actions or behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance.

Learning Points:

This supports the councils approach on negotiation, and whilst the decision is disappointing the Inspector explained why highway safety would not be harmed