

BUCKINGHAMSHIRE COUNCIL
Town and Country Planning Act 1990

24/03569/APP

Mr James Cann
 The Furnace
 The Maltings
 Princes Street
 Ipswich
 IP1 1SB

Ms Jade Thomas
 Benthill Farm
 London Road
 Buckingham
 Buckinghamshire
 MK18 1SZ

Subsequent to your application that was valid on the **28th November 2024** and in pursuance of their powers under the above mentioned Act and Orders, Buckinghamshire Council as Local Planning Authority **HEREBY PERMIT:-**

Demolition of an existing bungalow and replacement with a two-storey residential dwelling

AT:- Loth Lorien Mount Pleasant Close Buckingham Buckinghamshire MK18 1DN
 Subject to the following conditions and reasons:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the details contained in the planning application hereby approved and drawing numbers:
 24-20 001A Location and Block Plan (received 29 May 2025)
 24-20 110 Proposed Site Layout (received 28 November 2024)
 24-20 120 Proposed Floor Plans (received 28 November 2024)
 24-20 130 Proposed Elevations (received 28 November 2024)
 24-20 131 Proposed Elevations (received 28 November 2024)
 and in accordance with any other conditions imposed by this planning permission.

Reason: For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.

- 3 Prior to development above slab level of the dwelling hereby permitted, details of the materials proposed to be used on the external surfaces of the development shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policy BE2 of the Vale of Aylesbury Local Plan, policy DH1 of the emerging Buckingham Neighbourhood Plan, and the National Planning Policy Framework.

- 4 The scheme for parking and manoeuvring indicated on approved drawing 24-20 110 Proposed Site Layout be laid out prior to the initial occupation of the development hereby permitted and shall thereafter be retained as such in perpetuity and shall not be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway, and to comply with policy T5 and T6 of the Vale of Aylesbury Local Plan and the National Planning Policy Framework.

- 5 Any hard surfacing forming the driveways hereby permitted as shown on approved drawing 24-20 110 Proposed Site Layout shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouses.

Reason: In order to reduce the risk of flooding and to accord with policy I4 of the Vale of Aylesbury Local Plan, and the National Planning Policy Framework.

- 6 The dwellinghouse hereby permitted shall be built and fitted out so as not to exceed the optional water consumption standard of 110 litres per person per day, as set out in Approved Document G of the Building Regulations 2010 (as amended).

Reason: To promote sustainability in water use in accordance with Policy I5 of the Vale of Aylesbury Local Plan 2021.

- 7 The residential dwelling hereby approved shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement M4(2) 'accessible and adaptable' as a minimum prior to first occupation. Such provision shall be maintained for the lifetime of the development.

Reason: To ensure the adequate provision of accessible and adaptable dwellings in accordance with Policy H6c of the Vale of Aylesbury Local Plan (2021).

- 8 Prior to any development above slab level of the development hereby approved, with the exception of demolition, an energy statement shall be submitted to and approved in writing by the Local Planning Authority. The energy statement shall detail the ways in which the development will achieve greater efficiency in the use of natural resources, including measures to minimise energy use, improve water efficiency and promote waste minimisation and recycling. It shall also illustrate how the proposed development incorporates the following energy hierarchy:
- o reducing energy use, in particular by the use of sustainable design and construction measures;
 - o supplying energy efficiently and giving priority to decentralised energy supply;
 - o making use of renewable energy; and
 - o making use of allowable solutions.

The development shall thereafter be implemented in accordance with the approved energy statement.

Reason: To comply with the requirement to achieve greater energy efficiency through the lifetime of the development in accordance with Policy C3 of the Vale of Aylesbury Local Plan (2021), Sections 2, 12 and 14 of the National Planning Policy Framework (2024) and Sections I2, R1 and R2 of the National Design Guide (2021).

- 9 Prior to the first occupation of the dwelling hereby permitted, a minimum of one electric vehicle charging point shall have been installed and thereafter retained as such and maintained to a usable standard in accordance with the manufacturer's recommendations for the lifetime of the development.

Reason: To promote the use of sustainable modes of transport, to ensure appropriate electric vehicle charging infrastructure in new developments, and to comply with policy T8 of the Vale of Aylesbury Local Plan, and the National Planning Policy Framework.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any Order revoking or re-enacting that Order with or without modification, no development falling within Classes A-E inclusive of Part 1 of Schedule 2 of the Order shall be undertaken at the site.

Reason: In the interests of protecting the character of the area and visual amenity, and in the interests of protecting the residential amenity of neighbouring properties, in accordance with policies BE2 and BE3 of the Vale of Aylesbury Local Plan (2021), and the National Planning Policy Framework (2024).

- 11 Prior to the first occupation of the dwelling hereby permitted, details of bin storage shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details prior to the first occupation of the dwellings and the approved bin storage shall thereafter be retained as such in perpetuity.

Reason: To provide adequate bin storage, in the interests of visual amenity, and to accord with policies S5 and BE2 of the Vale of Aylesbury Local Plan (2021), and the National Planning Policy Framework (2024).

- 12 No development shall commence until details of existing ground levels, proposed finished ground levels and finished floor (slab) levels have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include plans and site sections showing the development in relation to the adjacent land and buildings. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure the proposed levels are satisfactory in the interests of visual and residential amenity, in accordance with policies BE2 and BE3 of the Vale of Aylesbury Local Plan, Policy DHE6 of the Buckingham Neighbourhood Plan and Section 12 of the National Planning Policy Framework. Slab levels are required at an early stage to ensure the proposed levels are acceptable prior to the development reaching an advance stage.

- 13 Prior to first occupation of the development hereby permitted, one bat box and one bird box shall be incorporated into the proposed development. The biodiversity enhancement features shall thereafter be retained as such in perpetuity.

Reason: To comply with the requirement to achieve a net gain in biodiversity through ecological enhancements in line with policy NE1 of the Vale of Aylesbury local Plan (2021), policy DHE5 of the Buckingham Neighbourhood Plan (2015) and the National Planning Policy Framework.

- 14 Prior to first occupation of the dwelling hereby permitted, a scheme for soft landscaping shall have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme. The development shall be carried out no later than the first planting season following the first occupation of the dwelling hereby permitted or the completion of the development, whichever is the sooner. Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity as shown on the approved landscaping scheme.

Reason: To ensure a satisfactory appearance to the development and to comply with policies BE2 and NE4 of the Vale of Aylesbury Local Plan (2021), and the National Planning Policy Framework (2024).

- 15 Prior to first occupation of the dwelling hereby permitted, measures of rainwater harvesting shall have been installed to the dwellinghouse and shall thereafter be retained as such in perpetuity.

Reason: To aid the reduction of the carbon footprint of the development and reduce surface water flooding in compliance with policy I3 of the Buckingham Neighbourhood Plan (October 2015).

- 16 The window(s) at first floor level in the east and west elevations of the dwelling hereby permitted shall not be glazed or reglazed other than with obscured glass to a minimum of level 3 and non-opening unless the parts of the window that can be opened are more than 1.7m above internal floor level.

Reason: To preserve the amenities of the occupants of the adjacent dwelling and to comply with policy BE3 of the Vale of Aylesbury Local Plan (2021) and the National Planning Policy Framework (2024).

- 17 Prior to first occupation of the dwelling hereby permitted, details of secure and covered cycle parking shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details prior to the first occupation of the dwelling and the approved cycle parking shall thereafter be retained as such in perpetuity.

Reason: To encourage sustainable modes of transport and provide on site cycle parking in accordance with policies T1 and T7 and Appendix B of the Vale of Aylesbury Local Plan (2021) and the National Planning Policy Framework (2024).

Informative(s)

- 1 It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.
- 2 No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.
- 3 Great Crested Newts (European Protected Species): The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to: deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstructing access to a resting or sheltering place. Planning consent for a development does not provide a defence against prosecution under these acts. Ponds, other water bodies and vegetation, such as grassland, scrub and woodland, and also brownfield sites, may support great crested newts. Where proposed activities might result in one or more of the above offences, it is possible to apply for an EPS mitigation licence from Natural England or the district licence distributed by Buckinghamshire Council. If a great crested newt is encountered during development, works must cease and advice should be sought from a suitably qualified ecologist.

Biodiversity Net Gain

For the avoidance of doubt, in accordance with Schedule 14 of The Environment Act 2021, paragraph 13 (General Condition of Planning Permission) of the Act requires a condition securing

the submission of a biodiversity net gain plan to be approved by the local planning authority on the grant of every planning permission. However, paragraph 17 (Exceptions) of this Act states paragraph 13 (General Condition of Planning Permission) does not apply in relation to development for which planning permission is granted by a development order; under section 293A (urgent Crown development); or development of such other description as the Secretary of State may by regulations specify. Consequently, this proposal is exempt from the mandatory minimum 10% Biodiversity Net Gain requirement which was introduced by The Environment Act 2021 which supplants local requirements as far as they relate to biodiversity.

Your attention is drawn to the notes on the back of this form.

A handwritten signature in black ink, appearing to read 'EO', with a stylized flourish at the end.

Eric Owens
Service Director Planning and Environment
On behalf of the Council
22nd July 2025

1. APPEALS

If you are aggrieved by the decision of your Local Planning Authority to grant permission for the proposed development subject to conditions, then you can appeal to the Secretary of State for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990. If you want to appeal, you must do so within 6 months of the date of this Notice, using a form which you can get from the Initial Appeals, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. You can also lodge an appeal via the internet at <https://www.gov.uk/planning-inspectorate>

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission without the conditions they imposed, having regard to statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

If either the local planning authority or the Secretary of State grants permission to develop land subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.

2. BUILDING REGULATIONS

This Approval under the Town and Country Planning Act DOES NOT operate as a consent under the provisions of the Building regulations. A further application may be required under this legislation. You are advised to seek advice from the Council's Building Control section on this matter, by emailing buildingcontrol@buckinghamshire.gov.uk

3. PROTECTED SPECIES

Certain wild plants and animals are protected under UK and European legislation. Approval under that legislation is required if protected habitats or species are affected by development. If you discover protected species proceeding with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England. Further details are contained in our leaflet 'Biodiversity and the Planning process'.

4. SUSTAINABILITY

We support the principles of sustainable design and construction, including: carbon management (energy efficiency and micro generation) as a central theme in design, build and use; the re-use of materials in construction projects; the sustainable management of water through water conservation (rainwater harvesting and water reuse) and the use of sustainable drainage systems (SUDS). We have published a Sustainable Construction Advisory Guide to help those involved in new build gain a better understanding and encourage the use of sustainable construction techniques in new developments. We will also provide basic guidance for interested parties on request. Further information can be found at CIRIA's SUDS website www.ciria.org/suds/icop.htm and the Building Research Establishment website www.bre.co.uk

5. MATERIALS

Please note that we cannot accept samples of materials at our offices. You should submit a Discharge of Conditions application (see note 6 below) with the materials fully specified, and then the case officer will make arrangements to view samples on site as required. Application forms are available on our web site (see link below).

6. DISCHARGE OF CONDITION(S)

A fee is payable for applications seeking confirmation that a) information submitted satisfies the requirements of a condition (including planning permission that has been granted on appeal) and b) a condition has been discharged.

For our current fees please visit our website <https://www.buckinghamshire.gov.uk/planning-and-building-control/building-or-improving-your-property/apply-for-planning-permission/fees-and-charges/> Please note that any number of conditions can be included on a single request but, if separate applications are made for each condition, a fee is required for each: i.e. if 4 separate application are made to discharge 4 conditions, total fees payable will be 4 x application fee.

You should submit a formal application using the standard 1APP form accompanied by the appropriate information, details or drawings. Applications can be made online via www.planningportal.co.uk or you can download from our website at <https://www.buckinghamshire.gov.uk/planning-and-building-control/building-or-improving-your-property/apply-for-planning-permission/making-a-valid-planning-application/>

7. STANDING ADVICE FOR DEVELOPMENT SITES WHERE THERE IS NO KNOWN HISTORICAL CONTAMINATION

If during development works contamination is encountered which has not been previously identified please contact the Environmental Health department immediately at environmentalhealth@buckinghamshire.gov.uk Works must cease on site until an appropriate remediation scheme is submitted to and agreed in writing by the local planning authority.

Failure to remediate site contamination during development could result in serious long-term health impacts to future users of the development.