

Application Number: 18/00856/FUL

Description Conversion and extension of existing agricultural barn to dwelling and detached garage block.

AT Barn In The Shoulder of Mutton Field, Gun Lane, Sherington

FOR Mr B Soul

Target: 24 July 2018

Extension of Time: No

Ward: Olney

Parish: Sherington

Report Author/Case Officer: Luke Gledhill
Planning Officer – East Team

Contact Details: 01908 252271, luke.gledhill@milton-keynes.gov.uk

Team Manager: Nicola Thompson, nicola.thompson@milton-keynes.gov.uk

1.0 UPDATE PAPER

Additional Comments/Clarifications

1.1 Recommended condition 5 in the report has been amended and now reads:

“No building or use hereby permitted shall be occupied or the use commenced until the vehicular access has been provided and thereafter retained at the position shown on the approved plans. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

Reason: In the interests of highway safety in accordance with Policy CS13 of the Milton Keynes Core Strategy 2013 and Saved Policy D1 of the Milton Keynes Local Plan 2001-2011.”

1.2 Recommended condition 6 in the report has been shortened so that its requirements are in line with the scale of the development. It now reads:

“Notwithstanding the approved drawings, no development shall take place above slab level until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include existing trees and/or hedgerows to be retained and/or removed accurately shown with root protection areas; existing and proposed finished levels or contours; means of enclosure; visibility splays; areas of hard surfacing materials.

Soft landscape works shall include planting plans at a minimum scale of 1:200 with schedules of plants noting species, plant supply sizes and proposed densities; written specifications (including cultivation and other operations associated with tree, plant and grass establishment; and the implementation programme.

Development shall be carried out in accordance with the approved details. If within a period of two years from the date of the planting of any tree or shrub, that tree or shrub, or any tree and shrub planted in replacement for it, is removed, uprooted or destroyed, dies, becomes severely damaged or diseased, shall be replaced in the next planting season with trees and shrubs of equivalent size, species and quantity.

All hard and soft landscape works shall be carried out prior to the occupation of the building(s) or the completion of the development whichever is the sooner or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: To protect significant trees and hedgerows, safeguarding the character of the area and preserving habitat and to minimise the effect of development on the area in accordance with Policies CS13 and CS19 of the Milton Keynes Core Strategy 2013 and Saved Policy D1 of the Milton Keynes Local Plan 2001-2011.”

- 1.3 In the panel report for this application, where the principle of development is considered in section 5 (pages 68-69), reference is made to a 2015 letter sent to the applicant stating that works had commenced at the site. Below is a copy of the letter. The agent and case officer details have been redacted.



Duncan Sharkey
Corporate Director - Place

Anna Rose
Service Director Planning and
Transport

Our Ref: 12/00858/FUL

Your Ref:

Reply To:

Direct Line:

e-mail:

Mr Bernard Soul

2nd November 2015

Dear Mr Soul,

Application no: 12/00858/FUL

Proposal: Change of use from agricultural barn to dwelling

At: Barn In The Shoulder of Mutton Field, Gun Lane, Sherington

I refer to our meeting and my site inspection at the above location on 29th October 2015. I apologise for the delay in writing to you.

At the meeting you wanted the confirmation of whether the works carried out on the site constitute commencement of the above development granted planning permission on 13 November 2012.

In order to lawfully commence development it is necessary to satisfy the legal requirements in section 56(4) of the Town and Country Planning Act 1990. This says that "*development is taken to be begun on the earliest date on which a material operation is carried out*". A material operation is defined in the Act and can include any works of construction, demolition, digging foundations, laying out or constructing a road and a material change in the use of the land.

The works carried out on the site comprises the digging out of the ground for the installation of the septic tank as required by the development is a minor material operation in accordance with the permission. I can confirm that the works constitute the lawful commencement of the development for the purposes of section 56(4) in accordance with the permission. The evidence (photographs) showing the scope of the works undertaken which demonstrates commencement of the development have been placed on our records on file.

I trust the above have clarified matters for you.

Yours sincerely,

[Redacted signature]