



**WENDOVER PARISH COUNCIL**

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**PLANNING COMMITTEE AGENDA**

**21<sup>st</sup> January 2025 at 7.00pm**

**Chilterns Neuro Centre, Oakwood Close, Wendover, Aylesbury, HP22 5LX**

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**Committee Membership:** Councillors Ballantine (Chair), Gallagher, Standen, Walker, Worth and O'Donnell

**To all Committee Members:**

YOU ARE HEREBY SUMMONED TO ATTEND THE ABOVE-MENTIONED MEETING, WHEN IT IS PROPOSED THAT THE BUSINESS TO BE TRANSACTED SHALL BE AS SET OUT BELOW.

**MEMBERS OF THE PUBLIC AND PRESS ARE INVITED TO ATTEND.**

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**AGENDA**

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**1. APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

**2. DECLARATIONS OF INTEREST**

In accordance with Sections 30(3) and 235(2) of the Localism Act 2011 and the Wendover Parish Council Code of Conduct.

**3. PUBLIC PARTICIPATION**

Members of the public have a maximum of three minutes to speak on any planning related matter.

**4. MINUTES**

To confirm the minutes of the Planning Committee meeting held on 19<sup>th</sup> November 2024.

**5. FINANCE**

To consider the list of payments.

**6. PLANNING DECISIONS**

To note the latest planning decision made by Buckinghamshire Council

**Milesfield Farm Hale Lane Wendover Buckinghamshire HP23 6LH**

Proposed changes to access and parking for stables and main house  
Wendover Parish Council Decision - Support  
Bucks Council – Approved

**Milesfield Farm Hale Lane Wendover Buckinghamshire HP23 6LH**

Householder application for replacement and relocation of porch, single storey rear infil extension and new flue  
Wendover Parish Council Decision - Support  
Bucks Council – Approved

**St. Benedicts Bacombe Lane Wendover Buckinghamshire HP22 6EQ HP22 6EQ**

Householder application for demolition of garage and porch, erection of part single storey front extension and open porch with associated groundworks and landscaping  
Wendover Parish Council Decision - Support  
Bucks Council – Approved

**4 Vinetrees Wendover Buckinghamshire HP22 6BS HP22 6BS**

Householder application for single storey rear extension

Wendover Parish Council Decision - Support  
Bucks Council - Approved

**106 Aylesbury Road Wendover Buckinghamshire HP22 6LX HP22 6LX**

Householder application for demolition of existing attached garage. Erection of single storey side and rear extension

Wendover Parish Council Decision - Support  
Bucks Council – Approved

**The Outlook Dunsmore Lane Wendover Buckinghamshire HP22 6QJ HP22 6QJ**

Householder application for demolition of single storey cloakroom and lobby and erection of two storey side and single storey rear extension

Wendover Parish Council Decision - Support  
Bucks Council – Approved

**30 Witchell Wendover Buckinghamshire HP22 6EG HP22 6EG**

Householder application for garage conversion and alterations to fenestration

Wendover Parish Council Decision - Neutral  
Bucks Council - Approved

**7. CLERK'S REPORT INCLUDING HISTORY AND CORRESPONDENCE**

To receive any updates from the Clerk

**8. PLANNING APPLICATIONS**

Planning applications can be viewed online at: <https://publicaccess.aylesburyvaledc.gov.uk/online-applications/>

[24/03677/APP 38 Manor Road Wendover Buckinghamshire HP22 6HN](#)

Householder application for demolition of rear conservatory and construction of single / two storey rear extension and construction of front porch

[24/03751/APP 100 Aylesbury Road Wendover Buckinghamshire HP22 6LX](#)

Householder application for first floor side extension, single storey rear extension, porch extension and fenestration alterations

[24/03821/APP Russell Farm Cobblers Hill Wendover Buckinghamshire HP22 6QD](#)

Householder application for proposed single storey rear extension

[25/00019/APP 16 The Cedars Wendover Buckinghamshire HP22 6LW](#)

Householder application for two storey side and single storey rear extension

**9. OTHER MATTERS**

**a. HS2**

To receive any updates.

**b. CLOSURE OF RAF HALTON**

To receive any updates.

**c. REVIEW OF PLANNING APPLICATION**

**24/03411/APP Berry Hill Farm Cobblers Hill Wendover Buckinghamshire HP22 6QD**

To note the outcome of an appeal to planning sent by letter from Buckinghamshire Council and review the Council position on the planning application.

**10. DATE OF NEXT MEETING AND ITEMS FOR AGENDA**

The next scheduled meeting of the Planning Committee is 4<sup>th</sup> February.

**11. CLOSURE OF THE MEETING**

Signed by *Andy Smith*

Clerk and Responsible Finance Officer

Date: 16<sup>th</sup> January 2025

## ITEM 8c – REVIEW OF PLANNING APPLICATION

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### BROUGHT BY

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Office/Chair of Council

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### SUMMARY

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To note the outcome of an appeal to planning sent by letter from Buckinghamshire Council and review the Council position on the planning application.

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### PARISH COUNCIL BACKGROUND

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The site first had a planning application in July 2019 for hardstanding

19/02319/APP	Berry Hill Farm Cobblers Hill Wendover Buckinghamshire HP22 6QD
WPC – No Objection	

This was reviewed in Nov 2019

19/02319/APP	Berry Hill Farm Cobblers Hill Wendover Buckinghamshire HP22 6QD
WPC - No Objection In line with some of the objections received WPC does not understand why such a large turning circle is required for a lorry relative to the size of the plot and would request that the hardstanding is not used for the siting of further caravans.	

The current plans were reviewed in Nov 2024

**P24/099 24/03411/APP Berry Hill Farm Cobblers Hill Wendover Buckinghamshire HP22 6QD**

Change of use of land to a mixed use of agriculture and residential Gypsy/Traveller caravan site, comprising the station of one static caravan, one touring caravan, and erection of one dayroom, alongside ancillary works (Hardstanding/Planting) and removal of pre-existing buildings and caravans (retrospective)

There was a regret that this was a retrospective application and because of that it was **RESOLVED** that we would be Neutral on this application.

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### DETAILS

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#### Introduction

The plot of land being discussed at Berry Hill Farm has grown from being a single occupied patch of hardstanding to turn round lorries to siting additional residences and support buildings. An enforcement notice was issued by Buckinghamshire Council in January 2024 but after appeal the land was allowed to make a retrospective planning application which Wendover Parish Council remained neutral on as it felt there were no material planning considerations that impacted on the application.

Whilst not minuted, the meeting in Nov 2024 felt that the application had many impacts for the residents around the site and impacts on the Chiltern National Landscape but were not sure if that was material grounds for planning objection.

The meeting in November 2024 did not have sight of the conditions it set out in Nov 2019 to not site any further caravans, which has now been breached.

#### The views of local residents

Local residents have provided further information on this issue which was not available to the Planning Committee in Nov 2024. They have highlighted that:

There has been a clear breach of planning regulations in positioning and occupying a large static caravan on the site without first seeking planning permission for change of use to a mixed use of agriculture and residential.

Planning permission should not be given as many of the reasons for issuing the enforcement notice could not be overcome given the isolated location of the site and the absence of local services.

They put forward their views on the appeal that overturned the enforcement notice:

**Ground (a) – That planning permission should be granted for what is alleged in the notice.**

i. The appeal letter refers to the status of the appellant and his family as falling within the definition of Gypsy/Travellers people. We recognise and respect the special status of such communities, but we don't believe that such status allows for occupation of sites such as this without first seeking planning permission. We understand that the appellant purchased the site in March 2023, and it would be normal practice for any purchaser to be aware of any planning constraints in relation to such a purchase, given that this would affect the purchase price. Against that background, we can only conclude that the breach of planning control requirements was a deliberate act. We also understand that Buckinghamshire Council has made provision for Gypsy/Travellers people at appropriate sites elsewhere in the county and will respond appropriately to the Gypsy and Traveller needs assessment currently being undertaken when this is completed. However, it is highly unlikely that this Green Belt site in such an isolated location would be part of that response.

ii. The appeal letter acknowledges that the site is located in the Green Belt, which is also an Area of Outstanding Natural Beauty (AONB) but argues that very special circumstances exist to warrant the granting of planning permission relating to the personal circumstances of the family and the best interests of the children. Obviously, we are not aware of the family circumstances, but we struggle to understand how this could be an appropriate site that is in the best interests of the children for a single family of two parents and four children (aged from 1 to 9) given:

- the isolated nature of the site;
- the distance from schools, shops and other community facilities;
- the lack of public transport;
- the difficulties of accessing day to day essential facilities other than by vehicle given that the A413 is unsuitable for non-vehicle use;
- the absence of facilities to effectively manage wastewater and foul water from the site.

iii. The absence of public transport facilities, referred to above, would also mean an increase in vehicle movements to and from the site. Access and egress to and from the site is from an access road that is at an acute angle with Cobblers Hill, with poor visibility to the left on exiting and which is very close to the junction between Cobblers Hill and the main A413. In our view, the increased vehicle movement is likely to lead to an increase in the risk of an accident at this junction.

iv. We understand that giving planning permission for the change of use of the site would be inconsistent with planning guidelines as set out in the government's policy paper "Planning policy for traveller sites" (PPTS), last updated on 19 December 2023, including:

- Introduction – paragraph 4d: That plan-making and decision-taking should protect Green Belt from inappropriate development.
- Policy E: Traveller sites in Green Belt – paragraph 16: Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.
- Policy H: Determining planning applications for traveller sites – paragraph 25: Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure.

v. The appeal letter refers to the recent erection of a substantial close boarded fence nearby and comments that – "It is not considered that this is sympathetic with AONB". It should be noted that this fence has been erected as part of the construction of a cycle/foot path between Wendover and Great Missenden. It is not, as stated in the appeal letter, "part of the HS2 works", although the project is funded by the HS2 Community Fund. The fence is designed to

give privacy to the residents of the adjacent property as the path climbs up to its junction with Cobblers Hill. As part of the project, planning permission for the fence was sought and given, before its erection (see planning reference 19/B4476/DIS) and its impact on the AONB would have been taken into account.

On the other hand, the installation, without planning permission, of a large, light coloured mobile home, which is highly visible from the cycle track that is being constructed, and will be visible from the lane (Cobblers Hill) during the late autumn, winter and early spring (when the leaf covering in the hedge line will not be there), is certainly not sympathetic with an AONB and spoils the view for those out to enjoy the beautiful countryside that we are fortunate enough to live in.

#### **Ground (b) - That the breach of control alleged in the enforcement notice has not occurred as a matter of fact.**

The breach of control alleged in the enforcement notice related to the allegation that: Without planning permission, the material change of use of the land to a mixed use of agriculture and residential, including the following works which facilitated that use:

- a) The stationing and residential occupation of one static caravan shown in the approximate location on the attached plan, labelled 'A';
- b) The non-agricultural residential occupation of two touring caravans and;
- c) The laying/formation of hard standing.

Clearly, the appellant cannot argue that item a) above "did not occur as a matter of fact", so our comments relate to items b) and c) and the brief arguments set out in the appeal letter.

b) The appeal letter states that "The two touring caravans are not occupied for residential purposes. Although up to 4 have been on site since 1988 and used for leisure throughout the caravan and camping club". From our collective observations over the past few months, we have seen evidence of activity that would suggest that at least one of the caravans has been occupied for residential purposes. On the other hand, we have seen no evidence that the caravans have been removed from the site and used for leisure purposes, and there is certainly no mention of the site on any caravanning or camping websites. We would be interested to learn what evidence exists to support such a claim.

c) The appeal letter states that "The hard standing pre-existed, it has merely been resurfaced". The hard standing on the site was the subject of a retrospective planning application from a previous owner that was approved in May 2020 (19/02319/APP). This application related to the resurfacing of existing hard standing that was carried out, without planning approval, in 2019. Retrospective planning permission was granted subject to three conditions:

- i. The development hereby permitted shall only be carried out in accordance with drawing No: Main Site Plan (dated 23 June 2019), Berry Hill Farm Site View (23 June 2019), Location Plan, Detailed Plan (NN-006), Historic Building List and Plans (NN-006) (page 1) (dated 1998), and Hardstanding finish document.
- ii. The materials to be used in the development shall be as indicated on the approved plans.
- iii. The hardstanding hereby permitted shall only be used for the purpose hereby approved and in association with the agricultural and horticultural use of the site.

Over several weekends in late April / early May 2023 it was observed that a 12 tonne digger was on the site and received at least 10 x 20 tonne trucks delivering hardcore to the site. Given that resurfacing of the permitted hard standing had only taken place in 2019, it was surprising that such materials were required. It is our understanding that the existing area of hard standing has been extended. It should be possible for Buckinghamshire Council to check this and compare the current hard standing area and materials with that for which retrospective planning permission was given in 2020. This apparent breach of planning conditions was reported to Buckinghamshire Council by at least two of the residents group at the time.

It should also be noted that prior to the appellant acquiring the site and keeping his horses in the paddock area, there were no signs of the site being used for agricultural and horticultural purposes, which was the main argument behind the retrospective planning application approved in 2020.

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#### **FINANCIAL CONSIDERATIONS**

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- n/a

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## **LEGAL IMPLICATIONS AND SUMMARY OF RISKS**

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This is about representation of Wendover residents as well as the planning regulations

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## **PROPOSAL**

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**Given this additional information and background Wendover Parish Council:**

- **Changes its position to oppose the current retrospective planning application**
- **Formally requests that Buckinghamshire Council “Call this application in” so it can be discussed openly in a public committee**