

# Guidance for Residents of Jordans Village

## *Making changes to properties on the Jordans Village Estate*

### Version

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- Approved by JVL Management Committee 25-Jan-2024
- Policy became operational on 1-Mar-2024
- Version February 2024

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## Definitions:

**JVL** means Jordans Village Ltd (JVL) which is a Community Benefit Society registered with the Financial Conduct Authority in England under the Co-Operative & Community Benefit Societies Act 2014 (registration number 7533R).

**Jordans Village** means the area shown on the attached plan being the original Estate owned by JVL, but not Jordans Way, Long Wood Drive or Dean Wood Road.

**Management Committee** means a committee within JVL to which JVL has delegated the determination of applications for consent.

**The Management Scheme** means the Scheme of Management made by Order of the High Court dated 6 March 1980 under section of the Leasehold Reform Act 1967.

**Property Sub-Committee** means a committee within JVL to which JVL has delegated powers to decide minor applications and which makes recommendations to the Management Committee on the others.

## 1. JVL's Powers

JVL has the power to control development in Jordans Village through the ownership of certain properties, both freehold and leasehold and under the powers vested in it by the Management Scheme. The Management Scheme applies to enfranchised freehold properties within the Scheme area being Jordans Village. Freehold owners of these properties are required to obtain JVL's approval before carrying out certain works. Whilst the below is not intended to be a comprehensive list, if leasehold or freehold owners in Jordans Village wish to carry out the following works, they are likely to require JVL's prior written approval for:

1. The erection of any structure on, or in the grounds of a property, including sheds, greenhouses, garages, entrance gate pillars, solar panels, satellite dishes, sign boards etc.
2. Any alteration or additions resulting in a change in the exterior of a building
3. The felling of any tree with a girth in excess of 24 inches measured at a point 4 feet from the ground
4. Any alteration to the boundary division of a property, including the hedges or fences or verges thereon
5. The use of a property for non-residential purposes (unless for professional purposes).

If you are in any doubt whether your proposed works require JVL's consent, you should contact the Estate Office which will be able to provide further guidance. The Management Scheme also contains a number of obligations requiring owners to, for example, keep the properties substantially repaired and the gardens tidy and litter free. This Guidance does not cover those obligations; however, you should review the terms of the Management Scheme and ensure you comply with your obligations.

JVL is not a Local Planning Authority under the Town and Country Planning Acts, and residents wishing to undertake developments must also seek planning approval from local and statutory authorities. The granting of permission by other authorities does not oblige JVL to grant consent for that application. This Guidance is intended to assist applicants when making their **applications**, so they better understand JVL's requirements for providing consent. JVL reserves its right to amend any part of this document without notice, however normally it will undertake consultation with residents before implementing any material changes to this guidance. Any application will be assessed against the guidance currently in place at the date of application.

## 2. JVL's Objectives

JVL aspires to promote sustainability, balancing the need to ensure high standards of construction and the conservation of Jordans Village's rural environment. JVL's objectives are:

1. To maintain and enhance the rural feel of Jordans Village, characterised by a mix of open spaces, fields, woodland, natural boundaries, minimal hard landscaping, and a sense of space around properties which sit comfortably within their plot and location.
2. To preserve the character and amenities of Jordans Village
3. To ensure that any new buildings and alterations to existing buildings respect Jordans Village's unobtrusive design ethos, including complementary modern designs
4. To promote the sustainable use of resources, encourage renewable energy, enhance biodiversity and minimise the emissions of carbon dioxide
5. To ensure that the views of neighbours and the community are considered in JVL's decisions when determining applications for consent.

The objective of JVL's original Building Regulations was to "*maintain the unassuming rural character of the Village*", and JVL considers that this phrase still encapsulates its intention for today.

### 3. Policies

JVL will use the following policies to evaluate applications for approval both under the Management Scheme and leases. JVL's previous decisions do not provide precedents for subsequent decisions because each individual application is different, and because its policies have evolved over time. Each application is determined on its individual facts and in accordance with the policies in place at the time.

Prior to granting consent, JVL may, where appropriate, consult with neighbours and take any representations received into account when making its decision. JVL will make its decisions based on the merits, facts and circumstances of each case.

JVL may give different weight to various policies, depending on the location of the application property. As shown on the accompanying map in Annex 2, JVL recognises three different Local Areas, characterised by different densities of building and plot sizes:

1. The Conservation Area
2. South - Beech Lane and Copse Lane south of Seer Green Lane
3. North - the rest of the village.

Any approval given by JVL will be subject to the standard conditions set out in Annex 1, plus any other special conditions JVL considers necessary. In particular JVL may determine that once the application works are completed a property (including all constructions within its boundaries) is fully developed and may require the applicant to enter into a covenant for the benefit of JVL preventing further development as an additional condition of approval.

#### Demolitions, New Builds and Extensions

1. JVL will permit the infilling and subdivision of plots only:
  - a. where the resulting plot sizes are similar to those in the local area
  - b. the development does not result in a material change to the character of the local area
  - c. the appearance, size and proportions of the new buildings are similar to those in the local area, and
  - d. the size of the new buildings is not excessive for the size of the new plots.
2. Proposed extensions to existing properties, new buildings or developments should not:
  - a. result in a building that is out of scale, height or proportion in relation to neighbouring buildings, or that is excessive for the size of its plot compared to neighbouring plots
  - b. result in a plot that is over-crowded with buildings
  - c. have a detrimental impact on the character or amenity of the street scene or local area, and
  - d. overlook, overshadow or result in a loss of the privacy of neighbouring properties, including noise pollution.
3. Extensions should complement the original character and qualities of the house, its plot and the neighbouring buildings in terms of scale, massing, matching materials, openings and roof form.
4. New developments and extensions should maintain the views of fields, woods and other natural features between buildings when viewed from a road or footpath.

5. Extensions should conserve or enhance the overall appearance of the property, improving any previous unsympathetic alterations or extensions.
6. Extensions should be designed with regard to the role played by a house within the overall street scene and must not unbalance the visual symmetry of a pair of houses.
7. The frontage of any new building (including but not limited to garages) or an extension should not be forward of the building line of neighbouring houses.
8. The demolition of existing properties (in particular those designed by Fred Rowntree) will not be permitted unless there are compelling reasons for the proposed demolition.
9. Extensions and new buildings should be insulated to the highest standards, and when work is being undertaken on an extension, the opportunity should be taken to extend these standards to the existing building.
10. JVL is likely to grant consent for the removal or renovation of existing structures which are poorly located or of inferior design and are beyond economic repair.
11. JVL is likely to grant consent for the removal of garages from the road frontage.

### **Alterations and Conversions**

12. The conversion of garages to living accommodation must have acceptable proposals for the provision for alternative car parking, and JVL will not permit the building of new garages on a site where such a conversion has taken place.
13. Close boarded security gates will not be permitted and close boarded fences and brick or stone walls are unlikely to be granted consent.
14. JVL in principle encourages roof mounted solar panels, and where possible they should be sited so that their visual impact and the impact on the amenity of the local area is minimised.
15. Satellite dishes should be sited so that their visual impact on the building and impact on the amenity of the local area is minimised.
16. Entrance gates should be in the style of traditional five bar rural gates. Brick or stone pillars are discouraged in order to retain the rural nature of Jordans Village.

### **Trees, Boundaries, and Gardens**

17. JVL is likely to consent to tree felling when the tree is likely to be a danger to property or people. The applicant may be required to replace the felled tree with a native sapling.
18. Tree surgery should only be carried out for the health of the tree or for safety reasons and should be only the minimum necessary.
19. No trees exceeding 24 inches girth measured at a height of 4 feet from the ground shall be felled, except with JVL's prior written consent. Severe pruning or pollarding to the extent that will inevitably cause the tree to die is deemed to be the same as felling a tree and requires JVL's prior written consent.
20. Except as described in points 22 & 23, trees in good health should not be felled.
21. Alternative actions, such as pruning (other than the severe pruning mentioned in point 19 above) should also be considered.
22. JVL is likely to consent to the felling of an otherwise healthy tree where it adversely affects the health of another tree or trees.

23. JVL is likely to consent to the felling of fast growing tall evergreen trees (including eucalyptus) which have outgrown the plot in which they are situated where otherwise pruning would result in an unsatisfactory visual result.
24. In such cases as described in points 22 & 23, the visual impact of felling will be taken into consideration and neighbours may be consulted if their outlook would be impacted.
25. To promote biodiversity, plot boundaries should have hedgerows with traditional mixed native hedge species, and the removal of hedges fronting or visible from roads or footpaths is discouraged.
26. Boundary hedges and fences should be of adequate but not excessive height or width.
27. JVL discourages the replacement of grass areas and flowerbeds with artificial turf. Hard standing, decking, patios and car parking areas should be minimised.
28. Brick pavements for parking are discouraged, and any parking areas should be permeable to prevent rainwater run-off.

### General

29. Temporary or permanent, portaloos, cabins, advertisement boards or signs will not be permitted.
30. External lighting for safety or security purposes should be controlled so that it is not on for extended periods of time and should not cause unnecessary interference with neighbours. Decorative lighting, such as tree uplighting, is not encouraged outside festive seasons to minimise light pollution.
31. Residents are encouraged to minimise energy consumption and improve their home's environmental performance through insulation, upgrading heating, low energy lighting systems, and installing renewable energy technologies.

### Greenhouses and sheds

The use of traditional greenhouses and timber sheds is in keeping with the rural character of the village. However, JVL wishes to ensure that the number, size and location of such structures is appropriate. JVL's approval for the construction of such buildings will not be required provided the following conditions are met:

1. The total number of such structures on any one plot does not exceed one shed and one greenhouse.
2. The footprint of the proposed structure does not exceed 10 x 8 feet.
3. Its maximum height does not exceed 7 feet 6 inches.
4. Traditional materials (timber for sheds) and unobtrusive colours are to be used.
5. The new structure is not to be sited forward of the building line of the main house.
6. JVL is notified of the intention to install the new structure and is provided with a location plan and certification that neighbours have been consulted and do not object.

JVL's prior permission for the construction of sheds or greenhouses which do not comply with these conditions will still be required. Like for like replacement of existing sheds and greenhouses which have reached the end of their useful life does not require approval.

## 4. Application Procedure

JVL determines applications following consideration by the Management Committee. All applications are evaluated by the Property Sub-Committee, which has delegated powers to decide minor applications and makes recommendations to the Management Committee on the others. The Management Committee meets on the last Thursday of every month, with the exception of August and December, and the Property Sub-Committee usually meets the week before the Management Committee meetings. The Management Committee is not obliged to follow the recommendations of the Property Sub-Committee.

The procedure for applications is as follows:

1. Applicants should submit two complete sets of drawings in paper and in an electronic format.
2. Plans must:
  - a. Be large enough to show the proposed changes clearly.
  - b. Show the Existing and Proposed floor plans, elevations, and sections.
  - c. Include Site Plans showing how the existing and proposed structures relate to neighbouring properties.
  - d. Include a Location Plan which shows where the property is located in the neighbourhood.
  - e. State the scale of the drawings; please note that the same scale must be used for both Existing and Proposed floor plans, elevations, and sections.
  - f. Scale for building floor plans, elevations, & sections 1:100 max.
  - g. Scale for Site Plans 1:500 (to include whole of existing plot).
  - h. Scale for Location Plans 1:1250 min 1:2500 max.
  - i. Show the actual dimensions in writing.
  - j. Show the existing and proposed floor area (for extensions).
  - k. Contain information about the proposed materials.
  - l. Provide the existing and proposed floor area of living space. If the application includes non-living space (e.g. garages) then the existing and proposed non-living space area should be provided separately.
  - m. Provide the area of the plot.
  - n. Show details of proposed planting, fencing and gates.
  - o. Show any proposed changes in access arrangements.
  - p. Show any trees proposed for felling
  - q. Set out any proposals to improve the energy efficiency of existing buildings on the plot.
3. Applicants should submit these plans, along with the appropriate application fee (see below) to JVL's Estate Office on or before the first day of the month in order to be considered at that month's Property Sub-Committee and Management Committee meeting, or the next month's meeting if there is no meeting scheduled. This submission date must be strictly adhered to and failure to comply will mean the application is not considered until the subsequent month's meetings (if there is a meeting that month)
4. A notice of applications will be posted at the Estate Office and, in the case of major applications, on the Society's website.
5. Applicants are encouraged to discuss their proposals with their neighbours at an early



stage and take their views into account. With applications for which a fee is payable, a notice of applications will be given to immediate neighbours who must make their written representations to JVL before the relevant meeting of the Property Sub-Committee. In addition, drawings will be available for inspection by all residents at the Estate Office.

- a. If comments are received in relation to an application, an acknowledgement of receipt will be sent indicating when the matter will be discussed and where the decision can be found.
  - b. JVL will not respond to comments made by neighbours or others on applications for consent, but all comments will be considered by the Property Sub-Committee.
  - c. Applicants may view any comments received by JVL on their applications, but they will be made anonymous in advance.
6. The Property Sub-Committee will review each application in light of this guidance, the opinions of neighbours, and any other relevant factors. It may arrange a site visit with the applicant and the Management Committee. If a site visit is required, the final decision may be delayed by a month.
  7. JVL reserves the right to require applicants to peg out the site of the proposed works and to demonstrate their height.
  8. JVL has delegated all decisions to grant consent to the Property Sub-Committee, except:
    - a. applications to extend houses or to build new houses;
    - b. all applications for demolition of a house;
    - c. applications for outbuildings with floorspace over 15 sq m;
    - d. any application where the Property Sub-Committee does not unanimously agree to approve or refuse it; and
    - e. anything else that the Property Sub-Committee considers should be determined by the Management Committee.
  9. The Estate Office will inform applicants of JVL's decision in writing as soon as is practicable setting out the reasons for its decision.

### **Pre-Application Comments**

For major proposals, it is possible for applicants to obtain initial comments from JVL on their proposal. They should submit as much information as possible, including a site plan showing the footprint and location of the proposed works within the plot together with indicative plan and elevation drawings. These may be hand drawn, but must be clear and to scale, with the scale indicated. JVL may arrange a site visit if that would assist. While these views will not be a commitment from JVL to approve or reject the application, they may give the applicant some guidance on how it would apply this Guidance to the application and may include comments or suggestions which may increase the chances of the application being approved. The applicant will still need to follow the procedure for applications as set out above in order to obtain JVL's decision on whether to consent to their application. There is a charge for obtaining pre-application comments.

### **Pre-Application Meetings**

Applicants may wish to meet representatives of the Property Sub-Committee, as part of the Pre-application process above. Any views expressed at such a meeting would not be binding on JVL's subsequent decisions on the application. The procedures by which such meetings will be held are set out in Annex 3.

## 5. Fees

JVL requires the submission of an Application Fee with each application in order for it to be considered. This fee covers the costs of neighbour notification, correspondence and committee reviews and decisions. If JVL considers that it needs professional advice on the application, it may ask the applicant to pay JVL's reasonable expenses for such advice.

Once an application has been approved, the following fees may become payable:

- A one-off Road Maintenance Fee to cover the costs of general wear and tear to village roads and verges by vehicles used by contractors and by transport of materials to and from the works
- A Road Maintenance Deposit against major damage to village roads, hedgerows and verges directly attributable to vehicles used by contractors and by transport of materials to and from the works. This deposit will be returned when the works have been completed, minus any moneys required to repair any specific damage to village roads, verges or other property

If JVL considers that the damage caused by contractors exceeds, or is likely to exceed, the amount of the deposit, it reserves the right to request an additional deposit or payment during or after the completion of the works.

### ***JVL Planning Fees***

<b>Proposal</b>	<b>Application Fee</b>	<b>Road Maintenance Fee*</b>	<b>Road Maintenance Deposit*</b>	<b>Notes</b>
Pre-application preliminary view	£125	N/A	N/A	
Tree felling, tree pruning and garden sheds	£0	£0	£0	Work must commence within 12 months from permission and be completed within 24 months from permission
Extensions and buildings under 10 sq m floor area	£150	£500	£600	
Extensions and buildings 10 - 25 sq m floor area	£200	£1,000	£1,250	
Extensions and buildings over 25 sq m floor area	£300	£2,000	£2,500	Works must commence within 18 months from permission and be completed within 36 months from permission

*\*For those properties located in Jordans Lane, and those properties located in the parts of Wilton Lane that are only accessible by vehicle via Longbottom Lane or via Jordans Lane, the Road Maintenance Fees and Deposits are waived. This is because contractors' and delivery vehicles do not need to cross land owned by JVL to access those plots.*

## 6. Easements

In some cases, an applicant may need an easement over land owned by JVL, for example for access over a verge or for drainage under land owned by JVL. Such an easement is not granted automatically by JVL consenting to the application and a separate agreement is necessary from JVL. JVL at all times retains absolute discretion whether to grant the easement whether it has granted consent to the works or not. A financial consideration and a legal deed of easement will be required, and any costs of the valuation and preparing the deed incurred by JVL must be met by the applicant.

## 7. Compliance and Enforcement

JVL's prior consent is required to any subsequent changes of the plans that it has previously consented to before the changes are implemented.

JVL reserves the right to inspect works, either during construction or after completion, to ensure that the approved plans are implemented, or to investigate complaints of non-compliance from neighbours. Following or during any inspection, JVL will wish to meet the applicant to discuss compliance and agree any remedial action required. If this process fails to resolve the problem, JVL reserves the right to seek suitable legal redress, and to recover any costs it incurs in such actions. If JVL is required to take enforcement action this could make it difficult to sell your home or obtain a mortgage.

Buckinghamshire Council may also wish to undertake enforcement action for any breaches of its planning consents.

## Annex 1: Conditions

Consent (if given) is granted subject to the following standard conditions:

### *General*

1. Any consent granted by JVL is limited to the works described on the approved drawings. Any amendments to them must receive JVL's written consent prior to the commencement of works.
2. Applicants must start and complete the works within any timescales imposed by JVL. Unless otherwise stated the timescales are as follows. For an extension or minor works, work must commence within 12 months from consent and be completed within 24 months from consent. For major works or a new building, works must commence within 18 months from consent and be completed within 36 months from consent. Amendments making minor changes to a previously approved application have no impact on the timetable originally granted.
3. Applicants must inform JVL and neighbours at least 2 weeks in advance of works commencing to allow adequate time to record and agree the condition of verges, roads, pathways, facilities, property etc before building work commences.
4. If the permitted works have not materially commenced within the specified timescale the consent will lapse. If works are commenced but not completed before the longstop date, the consent will lapse, and the property will need to be reinstated to its prior condition before the works were commenced. For the avoidance of doubt, once a consent has lapsed a new application for consent must be submitted to JVL for approval. There is no guarantee that a lapsed consent will be renewed on a further application.
5. Applicants must ensure that work only takes place between 8.00am to 5.00pm Monday to Friday and 8.00am to 12.30pm on Saturdays. No work is permitted on Sundays or Public Holidays.
6. Applicants must ensure that contractors do not erect advertising boards or notices in or around the site.
7. Applicants must cleanse and make good to the satisfaction of JVL any damage to the property of JVL or any other resident that results from the works.
8. Applicants must ensure that trees likely to be affected by the works are properly protected.
9. The permission of all relevant statutory authorities must be obtained by applicants prior to the commencement of the works.
10. JVL, at its discretion, may impose additional conditions.

### *Construction and delivery vehicles*

11. Applicants must ensure that there is no obstruction at any time to roads, pathways, public footpaths, bridleways, or driveways caused by construction/delivery vehicles, construction materials, or refuse related to the works.
12. Applicants must ensure that no plant or materials associated with the works are stored on verges or roads, and that (where possible) contractors' vehicles are parked on their property rather than on village roads.

13. Applicants must ensure that the size and weight of delivery vehicles used by their contractors are suitable for village roads.
14. Applicants must ensure that construction traffic and site deliveries do not take place between the times of 8.30am - 9.30am and 2.30pm - 3.30pm in order to minimise disruption and ensure the health and safety of people on the school run and commuting to work.

### *Nuisance to Neighbours*

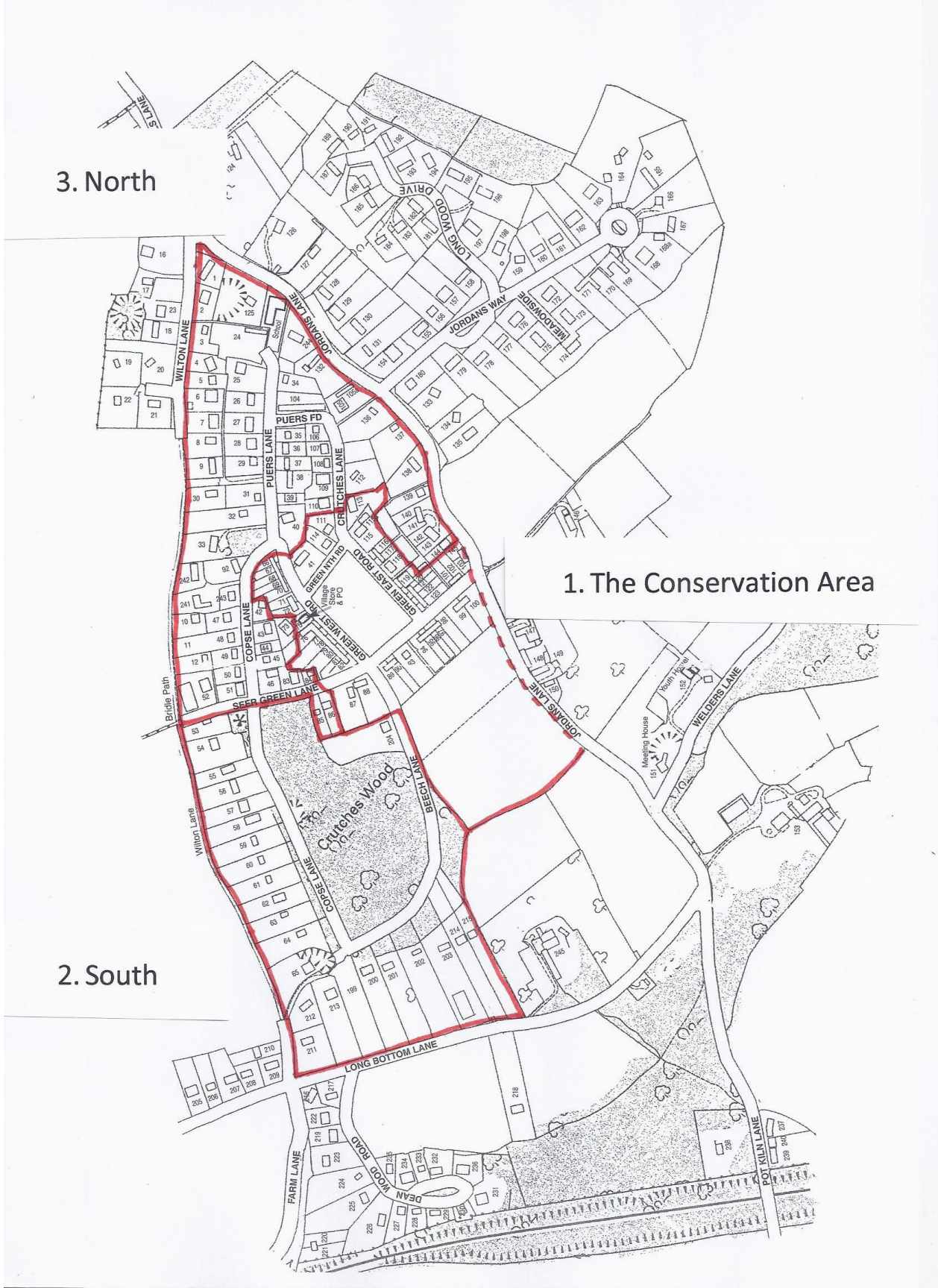
15. Applicants must ensure that noise, especially from radios and electronic equipment, and disturbance to neighbours resulting from the works is kept to a minimum. Applicants must take effective action to reduce noise if it deemed to be inappropriate by JVL or neighbours.
16. Applicants are not permitted to burn any rubbish or other materials on-site during the course of construction.

### *Compliance with this Guidance*

17. As part of any approval, JVL requires the applicant to return a signed copy of the consent and any associated conditions.
18. JVL reserves the right to inspect the building works both during construction as well as after construction is completed to ensure compliance with the approved plans. Applicants will permit access to the building site and works to allow the inspection to take place.
19. Applicants must comply with any reasonable request from JVL to ensure that the works comply with the plans approved by JVL.
20. If requested, applicants shall provide a certificate addressed to JVL from their architects confirming that all works have been completed according to the approved plans.

In the event that the Applicant carries out works for which JVL has not given consent or has breached the terms of the consent or its conditions in whole or in part and this issue cannot be resolved by agreement between the Applicant and JVL, JVL reserves the right to issue proceedings for an injunction, or any other appropriate remedy, and to recover its costs against the applicant.

# Annex 2: Local Areas



## Annex 3: Meetings between JVL and Applicants

### *Meetings with prospective applicants to discuss a forthcoming application*

In the case of prospective applicants, the purpose of the meeting will be to explain JVL's policies. The following must be noted and countersigned by the applicant prior to any meeting taking place:

1. Two or more members of JVL must be present.
2. Such meetings will be minuted by JVL.
3. Decisions on planning applications are only taken at quorate formal JVL Management Committee meetings. JVL is not obliged to follow any recommendation from the Property Sub-Committee or any recommendations or comments following a pre-application meeting.
4. Any opinions on any proposals expressed by any JVL representatives at any meeting with an applicant must not be construed as an approval, nor an indication that such proposal would be approved by JVL in a Management Committee meeting.
5. The Meeting should be for the purpose of explaining the context of this guidance and no discussions of detailed proposals should take place.
6. It is the sole responsibility of the applicant to decide whether to take forward any comments or views expressed at the meeting and submit a proposal (subject to the procedures detailed above). JVL will not be held responsible for any consequences of any decision that the Applicant may make regarding whether to submit or amend an application.