

**MINUTES OF THE PLANNING COMMITTEE MEETING**  
**HELD ON MONDAY 11<sup>th</sup> OCTOBER 2004 AT 8.00pm after the Interim Council Meeting**

**PRESENT:** Councillors J. Barnett  
Mrs. P. Desorgher  
G. Loftus  
H. Mordue  
P. Strain-Clark (Chairman)  
R Stuchbury (Mayor)

For the Town Clerk Mrs K.W.McElligott

**APOLOGIES FOR ABSENCE**

Apologies were received and accepted from Councillors: R.Lehmann and Mrs. P. Stevens.

**4696 DECLARATIONS OF INTEREST**

Cllr. Loftus declared a personal interest in the first four applications.

**4697 MINUTES OF THE PREVIOUS MEETING**

The Minutes of the meeting held on 20<sup>th</sup> September 2004 to be put before the Council for ratification on 25<sup>th</sup> October 2004 were received; there were no matters arising not listed elsewhere on the agenda.

**4698 PLANNING APPLICATIONS**

The following planning applications were received and discussed. –

*The following two applications were considered together*

**04/02184/ALB** **SUPPORT**

Radcliffe Centre, Church Street

Internal works, ramps and handrails for disabled access

**04/02187/APP** **SUPPORT**

Radcliffe Centre, Church Street

Internal works, ramps and handrails for disabled access

*The following two applications were considered together*

**04/02186/APP** **SUPPORT**

Yeomanry House, Hunter Street

Ramps for handrails and disabled access

**04/02188/ALB** **SUPPORT**

Yeomanry House, Hunter Street

Ramps for handrails and disabled access

**04/02425/APP** **SUPPORT**  
3 The Chewar  
Change of use from Tattoo shop to residential

**04/02471/APP** **OPPOSE**  
52 Deerfield Close  
Two storey front extension  
*Members felt that, though the extension was clearly subsidiary and reflected the frontage of the neighbouring house, nevertheless it was an overdevelopment of the site resulting in a large dwelling in an area of predominantly small houses.*  
*In general, Members considered that increasing the floor area of a house by more than 50% was overdevelopment. (This application: ground floor 53%; first floor 46%; overall 50%)*

**04/02498/APP** **SUPPORT**  
2 Sandhurst Drive  
Solar collector on south western facing roof  
*Members asked for design guidelines for solar collectors; whilst the principle was commendable the design was often less so.*

**04/02509/APP** **SUPPORT**  
Bridge House, Bourton Road  
First floor sun room  
*It was reported that no yellow notice was visible in the vicinity of the site.*

*The following two applications were considered together*

**04/02547/AAD** **SUPPORT**  
Tesco Stores Ltd., London Road  
Erection of post mounted and canopy signage

**04/02549/APP** **SUPPORT**  
Tesco Stores Ltd., London Road  
Installation of car wash and relocation of Jet Wash

**04/02580/APP** **SUPPORT**  
32 Addington Road  
Two storey rear extension  
*Members considered that clear efforts had been made to address the reasons for refusal of the previous application.*

**04/02605/ALB** **SUPPORT**  
The Bakery, 27 West Street  
Conversion of first and second floor into flats removing internal walls and staircase

**04/02639/APP** **OPPOSE**  
Springfield, 12 Gawcott Fields  
Erection of 1½ storey side extension and demolition of lean to  
*Members opposed on the grounds of overdevelopment of the site and the effect on the street scene of filling the gap between this house and the neighbours'.*  
*(This application: ground floor 57%; first floor 67%; overall 62%)*

**04/02634/APP**

2 Bernardines Way  
Erection of conservatory

**SUPPORT****04/02665/APP**

25 Moreton Drive

First floor extension over garage and single storey extension

*Members noted that the depth of the proposed extension, 5.0m, was in excess of guidelines and that the total increase of area over both floors was 44%; that the first floor extension filled in the aspect viewed from Highlands Road as well as from Moreton Drive, and objected on the grounds of over-development and effect on the street scene. The comment was made that, in Members' opinion, this version of the proposed extension was worse than the previous one.*

**OPPOSE****04/02689/APP**

Braeside, Lenborough Road  
Single storey rear extension

**SUPPORT****Minor Amended Plans**

04/02289/APP 15 Windmill Close *Plan shows position of site boundary and distance from building*

**4699 PLANNING CONTROL**

The following planning decisions were received from Aylesbury Vale District Council;

**APPROVED**

04/00607/APP	Land adj. 14 Adams Cl.Ch.use amenity land to garden + 1.8m fence	Oppose
04/01624/APP	81 Fishers Field Erection of conservatory to rear	Support
04/01947/APP	12 Robin Close Two storey front and single storey rear extension	Oppose
04/01968/APP	48 Westfields Two storey side extension	Support
04/02038/ATP	Land rear 81&83 Fishers Fld Works to Willow and Chestnut	Support
04/02042/APP	BP Filling Station Alterations to sales building, canopy & new pumps	Support
04/02120/ATP	6 Villiers Close Crown thin one beech and two horse chestnuts	Support
04/02164/ATP	2 Bostock Court Fell 1 fir & 1 elder and crown reduction of 2 willows	Support

**REFUSED**

04/01970/APP Pightle Cottage, Western Ave. Erection of a two-storey dwelling Oppose

**WITHDRAWN**

(Gawcott with Lenborough)

04/02026/APP Land to S. B'ham Ring Road Erection of 17.5m telecommunications tower & base station Oppose

**REPORT TO DEVELOPMENT CONTROL**

A report on the following application had been received and was available in the office:

04/01909/APP 33 Moreton Rd. Two storey side, single storey side and rear extensions and single storey front extension to form porch

## **4700 PLANNING - OTHER MATTERS**

### 4700.1 (4627.6) Buckinghamshire Minerals & Waste Plan – second deposit draft

The Chairman reported on the revised draft, and noted that the second volume contained all the comments made on the first draft together with the action taken; the Town Council had commented that sites for biological treatment (composting) should comply with the same criteria as for agricultural sites with respect to leaching and other emissions (e.g.spores) – this had been noted and passed to the Waste Manager – and the Town Council’s request that the Area of Attractive Landscape be extended to include the upper Ouse Valley, with the associated protection this implied, was not within the remit of this Plan.

### 4700.2 National Planning Aid Conference

No Member wished to attend this Conference on 20<sup>th</sup> November in York.

### 4700.3 CPRE request for support ref. various aspects of the MK and SM study

CPRE had written asking for letters to be sent to the appropriate Government Ministers questioning aspects of the Milton Keynes and South Midlands study, and suggesting actions to be advocated.

Members discussed the matter and decided that the Town Council should convey its concerns on the following points, but not support the whole document or strategy:

1. There was no reference in the study to the effect on the hinterland of the proposed development areas.
2. The transport infrastructure needed to be in place before housing development began, in particular schemes for public transport/park and ride. A definite decision to implement the rail link should also be made.
3. Health and education infrastructure should also be in place.
4. The targets on brownfield use should be implemented at the local authority level so that the summation meets the regional target and the ‘buck’ cannot be passed from area to area.
5. An assessment should be carried out on the provision of affordable and key-worker housing and the needs of the local and wider area, and targets set. The public/developer funding issue should be resolved to assure sufficient funding.

**ACTION THE CLERK**

## **4701 CORRESPONDENCE**

### 4701.1 04/00607/APP: Land adjacent to 14 Adams Close. Change of use of amenity land to residential garden and enclosure by 1.8m fence

Members had opposed: *Members were unhappy at the loss of amenity land and felt that maintenance access to the stream should be retained. Concern was also expressed that the application was retrospective.*

AVDC “At the meeting Members had regard for the former state of the land and its location. It was considered that given the location of the land it would, in its former state, have had limited views from the street scene and limited amenity value given its location and irregular shape.

Members also considered the contribution to the wider character and quality of the environment and concluded that it is not of a sufficient size and shape to have a high recreational value and therefore the proposed development would not result in the loss of visual amenity of the wider area and as such would accord with policy GP88 of the

AVDLP. It was acknowledged that the remaining area located adjacent to the site is considered to provide an area of open land which contributes to the street scene and maintains the open character of the development.

Whilst the Committee does not condone the submission of applications on retrospect the Council is nevertheless required to consider the proposal on its merit against the relevant planning policies.

4701.2 04/01947/APP 12 Robin Close. Two storey front and single storey rear extension

Members had opposed: *Members would have preferred the front and rear extensions to have been separate applications; there was no objection to the rear extension. However, even though it projected less far forward than in the previous application, the front extension was felt to disturb the rhythm of the evenly stepped street frontage and no indication had been received that the clause in the deeds prohibiting a structure forward of the building had been waived.*

AVDC "Careful consideration was given to the application and a larger scheme previously refused. The Committee took the view that there is a mix of characteristics of dwellings in the Close which are set at varying distances from the road. It was considered that the reduced scheme would result in an acceptable design that would not harm the character of the area which does not have uniform steps in the setting of existing dwellings. The proposal would also not project forward of the closest part of No.14 to the road.

It has been mentioned that there may be a covenant on this area relating to development in front gardens. Private covenants can not be considered whilst assessing a planning application and so any breach of covenant of this nature would be a private matter.

4701.3 (4695.5) Buckingham Buildbase – Further report from Enforcement Team Leader

Members had been circulated with the report.

It appeared that the owner of the land was claiming that the disputed area had been used for storage of various sorts, including vehicles connected with other businesses in the Yard, for the last 20 years, and Buckingham Building Supplies in particular from the 1987. The report concludes:

"...one of the conditions imposed on one of the 1985 consents sought to keep those areas open for the circulation and manoeuvring of vehicles.

The storage of building materials on those areas is accordingly both unauthorised and being undertaken in contravention of that condition.

However, a use of land or non compliance with the terms of a planning condition can become immune from planning enforcement action if it has been carried out in breach of planning control, without break for a period in excess of 10 years. In those cases it is open to the owner/occupier to apply for a formal certificate of lawfulness for existing development/use.

In this particular case the information which the investigation has brought to light is indicating that the use in all probability is immune from enforcement action."

No application for a Certificate of Lawful Use had been recorded on the Planning website at the date of the meeting. The details of the case had been circulated to the members of AVDC Cabinet after the last meeting: Cabinet was due to meet on 12<sup>th</sup> October 2004.

Members decided that if no response was received from the Cabinet meeting, the summary of the problem should be sent to the ODPM.

A response would be sent to the Enforcement Team leader enclosing copies of photographs recently received from Mrs. Robinson.

**ACTION THE CLERK**

4701.4 AVDC: Radcliffe Centre/Yeomanry House – response to complaint

The Clerk had complained to AVDC that when the applications for the Radcliffe Centre and Yeomanry House (considered earlier in the meeting) had arrived in the office each of the four application numbers had contained a mixture of drawings for each site, some duplicates, and a selection of ‘Existing’ and ‘Proposed’ and revised drawings, to a total of 21 sheets when 12 would have been appropriate. Also all 7 applications in that envelope, received shortly after the last meeting, had been due for response between 11<sup>th</sup> and 13<sup>th</sup> October.

AVDC had apologised for the jumble of plans and promised to look into it. The timetable was a matter of Government targets.

4701.5 (4689.1) Signage, Mill House – Response from Enforcement Team

The letting agents had pointed out that they could advertise each vacant flat with a separate board, but that this would be more visually intrusive than one permanent sign, and Members agreed. They have been recommended to submit an application for the permanent sign.

4701.6 (4695.6) Vodaphone mast - To note another response, from C.Lucas MEP

Dr. Lucas had sent a full reply with much useful information; Members felt that she should be thanked for her help, and her information passed to AVDC for future reference.

**ACTION THE CLERK**

**4702 CHAIRMAN’S ITEMS**

4702.1 New DIY store

A letter had been received from the agent for a company wishing to develop part of the Swan Business Park as a DIY store and garden centre. (It appeared that each of the Committee members had received a similar letter). The agent offered to make a presentation to Councillors on the proposal if they wished. Members decided that such a presentation would be useful. The invitation would be issued for the meeting at which the application would be considered.

**ACTION THE CLERK**

*Clerk’s note: this is likely to be the November 1<sup>st</sup> meeting as the application has been listed on the website.*

4702.2 Luton Airport

The Mayor reported from a meeting he had attended that it seemed the extension to Luton Airport’s airspace would not affect Buckingham.

Meeting closed at: 9.30pm.

CHAIRMAN ..... DATE .....