

Minutes of the **PLANNING COMMITTEE** meeting held on Monday 27th January 2014 at 7pm in the Council Chamber, Town Council Offices, Cornwalls Meadow, Buckingham

Present: Cllr. J. Harvey
 Cllr. P. Hirons (Chairman)
 Cllr. A. Mahi
 Cllr. M. Smith
 Cllr. Mrs. C. Strain-Clark (Vice Chairman)
 Cllr. M. Try
 Cllr. W. Whyte

Also present: Mr. I. Orton (co-opted member)
 Ms .S. McMurtrie (Town Plan Officer)
 Mrs. C. Bolton (Committee Clerk)
 Mrs. K. McElligott (Planning Clerk)

712/13 Apologies for absence

Apologies were received and accepted from Cllr Stuchbury.

713/13 Declarations of interest

Councillors Strain-Clark, Smith and Harvey declared a personal interest in applⁿ 6, 13/03478/APP.

714/13 Minutes

The minutes of the Planning Committee Meeting held on Monday 16th December 2013 ratified at Full Council on 20th January 2014 were received and accepted. There were no matters arising.

715/13 Buckingham Neighbourhood Development Plan

715.1 To receive a verbal update from the Town Plan Officer.

The Town Plan Officer reported that the Vale of Aylesbury Plan, following rejection by the Planning Inspector, could now take up to 2 and half years to before being in a position to proceed again. Ms McMurtrie had been advised by AVDC that if the Buckingham Neighbourhood Development Plan were to be in place then it would receive precedence over the VofA plan; which would have to align to Buckingham's approved plan.

Ms McMurtrie also advised Members to be aware that any new legislation passed by Central Government would be in a position to overturn any existing neighbourhood plans in place; therefore allowing changes to any already allocated numbers.

Ms McMurtrie had been working on the various comments received back from the public consultations and a 26 page document of suggested amendments from AVDC. Ms McMurtrie commented on a specific query raised by the Environment Agency that adequate sewerage infrastructure be ensured to the town to accommodate the planned housing allocation number.

Cllr Whyte stated that delivery of infrastructure was the responsibility of District and County Council; and that the BNDP should clearly mitigate any responsibility of Buckingham Town Council to provide such infrastructure. Cllr Whyte queried how s106 agreements would meet the requirement of infrastructure for the town.

Ms McMurtrie would continue to work through and respond to comments before arranging a further meeting with AVDC; ensuring that the given numbers allocated in the plan would stand up to scrutiny. The totals were 630 in the general

allocation, 400 from student accommodation and 300 in reserve sites – totalling 1330.

Ms McMurtrie went on to report Radclive and Chackmore Parish Council were meeting that same evening to decide whether to withdraw their previously agreed consent for parish land in part of site M to be allocated in the Buckingham Neighbourhood Development Plan. Should the decision be to withdraw their support for the land bordering Radclive and Chackmore, then Ms McMurtrie had been advised of the following possible courses of action by DCLG:

1. To push forward with the plan despite the objection
2. To amend the boundaries of the plan, removing Radclive and Chackmore from the plan. The plan would then have to go back to the consultation stage and could add up to 6 months to the process of approval.
3. An alternative route be agreed, and Radclive and Chackmore proceed with their own neighbourhood development plan. This option would also add months to the process.

Both the Town Clerk and Town Plan Officer had been advised it was not necessary for them to attend Radclive and Chackmore's Parish Council meeting – despite offering assistance to explain that the area was, for the most part a reserved area only.

The Town Plan Officer and Town Clerk had previously met with the Clerk and Chairman of Radclive and Chackmore to allay fears regarding the affected part of site M. Notes of the meeting had been taken, but not circulated, though Mrs McMurtie stated that the content of the meeting should not be reported verbatim.

Members **AGREED** to hold a workshop to discuss the outcome of the meeting of Radclive and Chackmore Parish Council, the collated feedback and proposed amendments to the plan. Council Chamber 7pm Tuesday 4th February.

715.2 To hold a discussion over housing allocation and reserve allocation figures
Discussed above in 715.1.

Clerk's note:

On Tuesday 28th January, 2014, the Clerk to Radclive-cum-Chackmore Parish Council informed the Town Plan Officer that the Parish Council had made the decision to withdraw their consent given in April, 2013 to the inclusion of Parish land in the Buckingham Neighbourhood Development Plan Area. A letter has yet to be drafted, and it may require another meeting of the Parish Council to do so.

The Town Clerk sought advice from DCLG. The advice, although not to be treated as legal advice, is that under S.61F(2) of the Town and Country Planning Act 1990 [inserted by the Localism Act 2011] the consent of the neighbouring Parish Council must be maintained throughout the process. As that consent is to be withdrawn, the BNDP cannot proceed without first seeking a new order to amend the Plan area. Even if the development is brought back within Buckingham Town boundaries, the Plan Area would still contain land which is no longer subject to the necessary consent. The view of AVDC Legal Section is also being sought. In view of the Town Clerk and Town Plan Officer this is likely to add approximately six months to the process.

The Town Plan Officer left the meeting

716/13 Action Reports

716.1 To receive the updated list.

Members noted the report and briefly discussed the increasing amount of rubbish behind 13 High St.

716.2 To receive various responses: (539.2); (608); (612.1); 612.2.3)

(608) Cllr Strain-Clark would report the response back to the neighbours.

(612.1) Enforcement had reported the Environment Agency were investigating.

716.3 (616) Members had asked for the 'wish list' to be brought to the meeting. The latest available formed part of a report to EP&H in 2012 which was attached. Members held a discussion over the wish list and other items that could be included such as cultural items and philanthropic groups. Members also felt it would be useful to formulate a list that could encompass a wide spectrum of funds that may be available from various organisations. Cllr Whyte reported that s106 funding was high on the agenda at the County Council and an officer was currently reviewing the agreements for the Buckingham Area; progress would be reported soon.

Proposed by Cllr. Hirons, seconded by Cllr. Harvey, and **RECOMMENDED** that this Council draws up a 'Wish List' of projects in consultation with other agencies such as arts and youth organisations, banded by estimated costs, so that whenever funding becomes available from whatever source a suitable project can be proposed. The List would be updated regularly and funded projects monitored for progress.

716.4 (614.2) LDO consultation; other council's responses summarised
Noted.

717/13 Planning Applications

13/03246/AAD

Tesco store, London Road
Advertisements of the hand car wash

NO OBJECTIONS

13/03511/APP

Tesco store, London Road
Installation of retail pod for A1 use (Dry Cleaning, Key Cutting and Shoe/Watch repairs)

OPPOSE

Members criticised the multiplication of 'pods' (this being the third in two months) taking car parking spaces when the applicant had an extant and unimplemented approval for an extension to the store and car park; that this 'pod' was in fact a container of no design merit whatever and its siting by the main door of the store was detrimental to the principal aspect of the building; and that the proposed use was contrary to paras 24-26 of the NPPF in that it could have a significantly detrimental effect on like service providers in the town centre.

13/03512/AAD

Tesco store, London Road
№7 non-illuminated signage for new drycleaning/shoe repair pod
Members deplored the addition of even more advertising on the site.

OPPOSE

13/03261/ALB

[flat over] W.H.Smith, 16 Market Square
Partial demolition and rebuilding to external flank wall and rear gable

NO OBJECTIONS

Members were advised that this response had already been sent to AVDC, as the cut-off date was 9th January for the following application

13/03423/ATP

Royal Latin School
Crown raise *[to 5m]* №2 sycamore and №3 Yew *[in a group]*

NO OBJECTIONS

13/03478/APP

29 Kingfisher Road

Erection of two storey side extension

Members were unable to make a reasoned response to this application for a large extension as, without a site plan, proximity to the boundary, overlooking of neighbours and parking provision could not be judged.

13/03584/APP

Highcroft, Bourton Road

Porch

NO OBJECTIONS

14/00015/APP

10 Wittmills Oak

Single storey rear extension

Members noted the new side windows and assumed the officer would have checked whether they overlook the neighbour's property.

NO OBJECTIONS

14/00028/APP

6 Brackley Road

Demolition of existing rear extension and erection of single storey extension

NO OBJECTIONS

The following applications were considered at Full Council on 20th January 2014:

Innov8 factory site, Tingewick Road

13/03392/APP

Demolition of former factory buildings with the exception of the office building and change of use, extension and alteration of the office building to Class D1 teaching accommodation and ancillary uses together with associated car parking and landscaping.

CONDITIONAL SUPPORT

13/03515/APP

Erection of a footbridge over the River Great Ouse

SUPPORT

AMENDED PLANS

13/02917/ALB

25 – 26 West Street

Change of use to residential accommodation including two storey rear extension and external alterations

NO OBJECTIONS

Amendment: to retain ground floor for shop/business use with appropriate facilities

13/03139/ADP

Tingewick Road Industrial Estate

Approval of reserved matters related to 11/02116/AOP for the erection of 86 dwellings, access, appearance, landscaping and scale

Minor Amendments: Redesign of play area

Members felt that this redesign of the play space was more than a Minor Amendment and merited comment. It was also hoped that the Environment Agency had been consulted, in particular over the proposed fence along the river.

This was the wrong site for a play area, and ill-designed for a readily floodable riverbank. Floodwater could damage the surrounding berms, swirl around the centre space and fill the tunnels, leaving mud and other detritus when the waters went down – an obvious maintenance problem. Members fully supported Mr. Houston's comments, and a play area on the right-hand (east) side of the access road at the

entrance was suggested as being safer, out of the floodable area and more likely to be used by residents of nearby housing.

718/13 Planning Decisions

To receive for information details of planning decisions made by AVDC as per 'Bulletin' and other decisions.

Approved			BTC response	Officer recomm ⁿ .
13/02233/APP 13/02234/ALB	10 Market Square	Two storey extension for B1 use	Oppose	Approval
13/02432/APP	17 Hill Radnor	Single storey side extension	No objections	-
13/02447/APP	Grand Junction PH	Ch/use car park to mixed use with car wash	Oppose	Approval
13/02812/APP	Kilrenny, Stowe Cl.	S/st rear extn with balconies & porch	No objections	-
13/02863/APP	25 Nelson Street	Single story rear extension	No objections	-
13/02903/APP	3 Foscott Way	Rebuilding of unsafe boundary wall	No objections	Approval
13/02946/APP	1 Portfield Way	First floor extension & new access	No objections	-
13/02960/ATP	6 Naseby Court	Reduction of maple crown	Oppose	*
13/03000/ALB	23 Castle Street	Int ^l alts inc. removal of stud partition	No objections	-
13/03049/ATP	20 Waglands Garden	Reduce height of hedge by 1.5m	No objections	-
13/03088/ATC	Ford Meadow	Fell leylandii on N,S,W sides & centre	No objections	-
<i>Condition 1 is to check with the EA on the type of fence permitted in the flood plain</i>				
13/03097/APP	Plot 132,Lace Hill	Erection of dwelling w. conservatory	No objections	-
13/03100/ATC	University,Hunter St.	Works to trees on river bank	No objections	-
13/03360/ATP	Buck.Primary Sch.	Fell 1 Oak	No objections	-
<i>Tree is to be replaced with either an oak or a beech of 12-14cm girth</i>				
* Decision made before comments received				

Refused

13/02855/AOP	14 Portfield Close	Erect detached dwelling with garage	Oppose	-
13/02939/APP	Bourton Mill H. Club	2-st front ext'n & dormer windows	Oppose	-

Deferred

13/01465/AOP Sainsbury's,Lace Hill Demolition of existing restaurant and development of supermarket (class A1 use), Petrol filling station (sui generis use) with 394 Car Parking spaces and 36 cycle parking spaces together with a Health Care facility (Class D1 use) with 77 Car parking spaces and 12 cycle parking and associated highways works (including realignment of existing spine road), access, landscaping and ancillary works.

Reason for deferral: subject to s106 agreement

Mr Orton left the meeting

719/13 Case Officer Reports (& Recommendations)

Reports have been received for the following applications, and were available in the office

719.1 Strategic Development Control

None

719.2 Development Control

13/02233/APP & 13/02234/ALB 10 Market Square (Approval)

Two storey rear extension for B1 use

The officer has recommended a condition imposing office use only.

13/02447/APP The Grand Junction, 13 High Street
(Approval)

Change of use from Public House Car Park to mixed use as car park with hand car wash – retrospective.

A separate signage application has been requested.

719.3 (609/13) To receive for information the list of Councillors available for DCC meetings.

720/13 Supermarkets – progress

To discuss and agree whether letters should be sent to Tesco, Sainsbury's (x2) and ASDA to enquire what time scales they are planning for implementation of their various planning permissions. A list was appended with relevant expiry dates
The Planning Clerk informed Members that Chandos Rd residents had received notification that work would start at the Sainsbury's local site on the corner of Chandos Rd. within the next 7-10 days.

Members **AGREED** to send letters as above.

ACTION: PLANNING CLERK

721/13 LCPLG Meeting at AVDC

Cllr Hirons reported on his recent attendance to the Local Council's Planning Liaison Group meeting. John Byrne, Head of Planning at AVDC, reported that the District's planning office were required to find savings of £1M in the new financial year; as part of the process staff would reduce from 72 to 61. Future legislative changes would be introduced, allowing bigger extensions of up to 8 metres; also revisions to listed building regulations, and reduced conditions on landscaping and food prevention.

Consultation was progressing with Environmental Health on the matter of licensing HiMO's.

Cllr. Hirons also reminded Members of the need for proper and valid planning reasons to be given on planning applications, in order to clearly make comment to the planning officers at AVDC.

Councillor Whyte left the meeting

722/13 Enforcement

722.1 To receive the updated list

Received.

722.2 To receive the December Bulletin for Buckingham North and South

Received.

722.3 To report any new breaches

None

723/13 Transport

723.1 (489.1) To receive a response from BCC on HS2 construction routes

Noted.

723.2 To report any damaged superfluous and redundant signage in the town.

Cllr Smith reported that Freya Morris, Historic Building Officer was looking at the signage issue throughout the town, working with Destination Buckingham.

Cllr Try reported a 'no through road' sign incorrectly placed at the entrance to Badgers.

Cllr Strain-Clark reported a misleading 'no heavy goods vehicles' sign at the top of Church St.

ACTION: PLANNING CLERK

724/13 Any other planning matters

724.1 To discuss and agree suggestions for street names for Moreton Road Phase II. In the absence of any other themes suggested by Members, lists were circulated of rare breeds (continuing Phase I) and Rugby-related words, linking with the adjacent Rugby Club, and including details of the late Mr. di Angeli.

Members **AGREED** on the local Rugby players referenced in the appended document, including Mr di Angelli, along with stadium names of Murrayfield, Twickenham, Lansdowne Rd and Cardiff Arms Park. The Planning Clerk would put the suggestions forward. **ACTION: PLANNING CLERK**

724.2 Following on from Min. 542.3, and the attached email: to discuss a modification of the decision taken on 18th March 2013 (Min. 818/12) that all responses except 'No objections' would be confirmed as 'Member attending to speak' even if the option was not in fact taken up.

The Planning Clerk advised Members that when amended plans are received on a previously discussed application where the Town Council had recorded a comment of either Support or Oppose there was no allowance in the AVDC Planning system to revise the response to 'no objection' which would negate the need for attendance by a Town Councillor.

Proposed by Cllr Strain-Clark, seconded by Cllr Smith, and **RECOMMENDED** to Full Council that the decision taken on 18th March 2013 (Min 818/12) that all responses except 'No objections' would be confirmed as 'Member attending to speak' even if the option was not in fact taken up be rescinded, and the decision on attendance at the DCC meeting be taken on an application by application basis.

725/13 Correspondence

None.

726/13 News releases

Radclive and Chackmore boundary decision, dependant on outcome of thei Parish Council meeting.

727/13 Chairman's items for information

None

728/13 Date of the next meeting:

Monday 17th February 2014 following the Interim & Informal Council meeting.

Meeting closed at 9.25pm.

Chairman..... Date.....