

Minutes of an Extra-ordinary meeting of the Full Council of Buckingham Town Council held on **Monday 4<sup>th</sup> February 2019** in the Council Chamber, Cornwalls Meadow, Buckingham at 7:00pm.

**Present:**

Cllr. M. Cole	Deputy Mayor
Cllr. J. Harvey	Mayor
Cllr. P. Hirons	
Cllr. D. Isham	
Cllr. A. Mahi	
Cllr. H. Mordue	
Cllr. L. O'Donoghue	
Cllr. A. Ralph	
Cllr. M. Smith	
Cllr. Mrs. C. Strain-Clark	
Cllr. R. Stuchbury	
Cllr. M. Try	

<b>In attendance:</b> Mr. P. Hodson	Town Clerk
Mrs. N. Stockill	Committee Clerk
Mrs. K. McElligott	Planning Clerk

**PUBLIC SESSION**

Mrs Bissell of Gawcott Fields, Buckingham attended the Public Session to oppose application 19/00148/AOP and provide Members with a handout summarising neighbour's concerns. Mrs Bissell highlighted the following points for clarification:

- What is Buckingham Town Council's position on the development?
- What is the timeline for updating the Buckingham Neighbourhood Development Plan and does it currently take precedence over the Vale of Aylesbury Plan?
- A formal Traffic Assessment has not been undertaken and residents of Gawcott Fields believe the pressures of this development on highways and infrastructure is not sustainable.
- What assurance is there in terms of maintaining the security of existing properties in Gawcott Fields if the development goes ahead?
- Can residents have confirmation of the dimensions for the new plans including size of plots for those dwellings backing onto existing houses on Gawcott Fields?

Cllr. Harvey confirmed that the Vale of Aylesbury Plan was approved by AVDC's Full Council on Wednesday 18 October and underwent a statutory 6 week consultation from Thursday 2 November – Thursday 14 December 2017. Following this, the responses were collated and submitted along with the Plan and supporting documents for examination by an independent planning inspector. Currently, the Inspector is not expected to finalise comments on the VALP until (approximately) the summer of 2019. Cllr. Harvey explained that in the absence of an agreed Vale of Aylesbury Plan the Buckingham Neighbourhood Development Plan was the only enforceable plan for housing development in Buckingham.

Mr Dolling of Gawcott Fields, Buckingham attended the Public Session to oppose application 19/00148/AOP and confirmed that the parcel of land off Osier Way (South of A421 and East of Gawcott Rd) was not outlined in the current Buckingham Neighbourhood Plan as land for housing development. Cllr. Harvey agreed with Mr Dolling's assessment and explained the land was outlined for use as an employment area e.g. expansion of the

existing Industrial estate. Mr Dolling described his concerns with the suitability of the site as housing development and its connectivity with the town centre, highlighting unrealistic waking times (from site to town centre primary schools) quoted within the application. Mr Dolling remarked that new residents would be forced to use their cars placing increased pressure on the town's roads and Gawcott Road roundabout. Mr Dolling additionally raised concern over the lack of traffic calming measures and pedestrian footpaths along the Gawcott Fields toward Gawcott village. Mr Dolling concluded by asked Buckingham Town Council for their support in opposing application 19/00148/AOP.

Mr. Dolz of Gawcott Fields, Buckingham attended the Public Session to oppose application 19/00148/AOP highlighting the increased vehicle movements arising from the new housing estate. Mr. Dolz remarked that new residents would be forced to commute to neighbouring towns and cities for jobs as the employment opportunities could not be supported within Buckingham. Mr. Dolz expressed concern over the removal of trees and hedges behind the existing Gawcott Field houses and the apparent lack of renewable energies to be employed within the application.

#### **693/18 Apologies for Absence**

Members received and accepted apologies from Cllrs. P. Collins, G. Collins, Bloomfield, Gateley and Newell.

#### **694/18 Declarations of Interest**

To receive declarations of any personal or prejudicial interest under consideration on this agenda in accordance with the Localism Act 2011 Sections 26-34 & Schedule 4.

#### **695/18 MAJOR PLANNING APPLICATION**

##### **19/00148/AOP**

##### **OPPOSE & ATTEND**

Land Off Osier Way South Of A421 And East Of Gawcott Road

Outline Planning Application (with all matters other than means of access reserved) for a residential development of up to 420 dwellings (including affordable housing), and associated infrastructure including provision of open space (including formal playspace); car parking; new pedestrian and cycle linkages; landscaping and drainage works (to include SuDS attenuation) and two new accesses off Osier Way and one new access off Gawcott Road.

Includes demolition of the existing pigsty.

Cllr. Cole thanked the residents of Gawcott Fields for attending the evening's Public Session. Members received a written report from the Planning Clerk and recorded their thanks for her hard work. Cllr. Cole summarised the proposal for Members and a copy of his speech is appended to the minutes in Appendix A.

Members noted that at the date of validation of this application, the ruling local plan was the Buckingham Neighbourhood Plan, therefore

1. This application site is outside the settlement boundary, and not a designated site, contrary to Policy HP1. The Secretary of State had already upheld this policy in the matter of Moreton Road Phase III (14/02601/AOP) in July 2017.
2. Should the application nevertheless be approved, the proportion of Affordable Housing should be 35%, not the submitted 25% contrary to policy HP5. This meant a difference of 42 Affordable dwellings. Mention was also made of the DGLG figure (3686 in March 2018, quoted in the Buckingham & Winslow Advertiser of 1<sup>st</sup> February 2019) for households on the waiting list in the Vale which showed a clear need for a higher %;
3. Connectivity with the town had not been demonstrated, particularly with respect to the schools. Lace Hill, Bourton Meadow and George Grenville were all an unfeasible

- walking distance for young children, and the result would be an exacerbation of the parent-car problem already very evident at all three schools;
4. Using the VALP figure of 1.5 working residents per dwelling gives a figure of 630 people seeking employment. Buckingham does not have this number of vacancies so a sizeable number of vehicles out-commuting will be generated at peak times; the applicants appear to think that all can be accommodated in the Industrial Park and thus walk or cycle to work. Members point out that the only employment development is to be at Silverstone and Westcott, neither of which are accessible by public transport or a safe cycleway; there is no cycle shop or repair service in Buckingham.
  5. The complete lack - on AVDC's instruction - of any communal facilities other than play areas will reinforce the isolation of this dormitory estate beyond the industrial area and the bypass; there will be no opportunity to build a community spirit or integrate it with the town in the way that has proven successful at Lace Hill (which has a primary school and sport/leisure centre for 700 dwellings). Taken together with the 382 dwellings approved for the adjacent site diagonally across the Gawcott Road roundabout a total of 800 dwellings in this quadrant of the town will have no community meeting place, no facilities other than the Aldi store and no school within walking distance. It should be noted that the school in Gawcott is for juniors only, its infants department is in Tingewick.
  6. The smaller (eastern) housing area is even more isolated, having only a footpath connection to the larger site and a single access on to a rough road; concern was expressed that a single access point was unsafe, in the event of - say - a fire or chemical spill at the factory opposite; an emergency access should be included.
  7. Members (and the County Council) do not favour Shared Surface Streets; they are unsafe for pedestrians, children and the visually and physically disabled; if the refuse lorries cannot use them, bins get left out to reduce the hauling distance to the collection point, and they require more maintenance than conventional surfaces.
  8. Water supply is inadequate, sewage capacity not mentioned (in the Utilities document) and concern was expressed that the small attenuation ponds might not be adequate for the amount of stormwater run-off, to the detriment of the wildlife dependent on the water courses, both on-site and downstream..
  9. Planning Notices had not yet been posted at the site.

Proposed by Cllr. Cole, seconded by Cllr. Stuchbury, and a recorded vote called for, that the Council Oppose the application, with the rider that a representative would attend the Committee meeting(s) at which the application was reviewed by the LPA.

For the proposal:

Cllr. Harvey (Town Mayor); Cllr. Cole, Cllr. P. Hirons, Cllr. Isham, Cllr. Mahi, Cllr. Mordue, Cllr. L. O'Donoghue, Cllr. A. Ralph, Cllr. M. Smith, Cllr. Mrs. C. Strain-Clark, Cllr. Stuchbury, Cllr. M. Try

Against: none; Abstentions: none.

Gawcott-with-Lenborough PC and BCC would be informed of the response. A news release was also agreed.

**ACTION PLANNING CLERK**

**696/18 MAJOR PLANNING APPLICATION – AMENDED PLANS**

**17/04668/ADP**

**Changed to No Objections**

Land North Of A421 Tingewick Road

Approval of the reserved matters details of the external appearance of the buildings, the landscaping of the site, layout and scale for each phase or part of the development together with discharge of conditions 2 (phasing) and 6 (design code) pursuant to outline permission 15/01218/AOP for consideration of means of access to provide up to 400 Residential Dwellings (including Affordable Housing), Open Space including

Play Areas and sports and related recreation facilities, Landscaping, New Vehicular and Pedestrian Accesses, Engineering (including Ground Modelling) Works, Infrastructure Works (including Drainage Works and Utilities Provision) and Demolition (including Site Reclamation), Car Parking and Lighting.

Amended documents:

1. Site Layout Rev. Y (single sheet with key + 2 sheets at larger scale for East and West of the site respectively)
2. Affordable Housing Plan Rev H
3. Public Open Space Plan Rev F
4. Design Code Rev K
5. Street Scenes Rev D (Street 01, Northern Edge, Southern Edge)
6. Street Scenes Rev D (Tingewick Road looking S, The Avenue, houses fronting park)
7. Materials Plan Rev E
8. Building Heights Rev E
9. Site Location Plane Rev A
10. Parking Strategy Plan Rev F
11. 42 x house types plans and elevations Rev A
12. 3 x apartment blocks plans & elevations (5 drawings – 2 Rev B, 3 Rev C)
13. 4 x garage drawings Rev A
14. Enclosure Details Rev A

Members received a written report from the Planning Clerk. Cllr. Cole summarised the report for Members and a copy of his speech is appended to the minutes in Appendix B.

The revisions followed a developers meeting with Design South East to arbitrate differing responses. Members considered the changes and Cllr. Cole's report of a meeting held with the developers on Friday 1<sup>st</sup> February which listed the revisions which addressed the Council's remaining concerns. Further comments on the troublesome storm-water drain on the Tingewick Road were made by Cllr. Stuchbury. A late-arriving Flood Risk document had not yet been responded to by BCC, and the AVDC Affordable Housing Officer and Park & Recreation Officer had registered adverse comments. The football pitch would be removed and the NEAP moved nearer to the housing; as both West End Bowls Club and the Ladies Hockey Club were looking for new accommodation, these would be suggested as possible alternatives.

It was recommended and agreed that the developers meet with BTC officers to discuss the management of the play areas and public open spaces.

Telecom connections must be installed in all dwellings before occupation.

Members voted unanimously to record a No Objections response, subject to a positive response from the SuDS Officer on the flood risk and drainage, and assurance about the telecoms timing.

Cllr. Cole asked for thanks to be minuted to the developers and their preceding facilitating company for the way they had engaged with the Town Council from the early days of the Neighbourhood Plan to a satisfactory conclusion. Cllr. Harvey recorded Member's thanks to the Planning Clerk for her stoic, meticulous and dedicated work on analysing all the iterations of the plans to date which enabled the council to work closely with the developer. The site had been designated for development in the Plan, and its policies adhered to, proving the benefits of having the Plan in place.

A news release was agreed.

*Cllr. Mordue left the meeting at 7.45 during the following item.*

## **697/18            AMENDMENTS AND COMMENTS ON A MAJOR APPLICATION 18/04290/APP**

West End Farm, Brackley Rd, MK18 1JA

Variation of Condition 2 of planning permission 16/00847/APP to vary wording, description and plan numbers

*Brio Retirement Living Holdings*

*New material, for information:*

*Email sent to planning officer addressing points made in BTC response*

*Amended drawings:*

*(The comparative site plan with the added parking figures was put before Planning on 21/1/19 and noted)*

*Block 3 ground floor: door from exterior to stairwell marked 'eradicated' on original plan has been reinstated*

*Block 4 ground floor: kitchen and bathroom fittings added to previously blank areas*

*Block 4 first floor: plan amended to show doors to Juliette balconies opening inwards instead of outwards*

*Block 7 top floor: plan amended to show stairwells and lifts (previously omitted)*

Cllr. Cole outlined the difference between C2 (institution) and C3 (dwelling) use classes and noted that 24-hour care implied C2, as the Planning Inspector had decided, while the description 'retirement village' used by Mr. Sneddon in the meeting could be read as C3, which implied housing and therefore a 35% Affordable element. Furthermore the minimum age for residents was 55, when they might well still be working, confident that a spouse or partner was being cared for in their absence.

Cllr. Harvey advocated no change to the agreed response; there was not enough parking. He also asked for research to be carried out into case histories on the definitions of C2 v C3 provision. Cllr. Stuchbury added that he had used the farm entrance during his working life and it was not easy, especially given the speed of the passing traffic. If the nature of the community meant that Affordable Housing did not fit the model, a contribution could be set for off-site provision.

Members agreed that no change be made to their original response.

A news release was agreed.

Meeting closed at: 19.48

Signed ..... Date .....

Town Mayor

**19/00148 LAND OFF OSIER WAY**

As things stand tonight, the Wates application for 420 dwellings on Land Off Osier Way fails the Buckingham Neighbourhood Development Plan test on two grounds:

- 1) It does not comply with Policy HP1, as it is outside the settlement boundary (which the Secretary of State saw as a good enough reason to refuse the Moreton Road Phase 3 appeal).
- 2) It does not comply with Policy HP5 which sets a minimum 35% affordable housing content, in proposing only 25% affordable housing.

This application was validated on January 15<sup>th</sup> 2019, at which time the BNDP was (and still is) the most recently adopted local plan. It should also be noted that as of today, there are no statutory planning notices posted, even though the consultation period ends on February 20<sup>th</sup>.

Members may feel that this development is inevitable, given that the draft Vale of Aylesbury Plan allocates this land for housing, but that may not be made for many months yet. If we are to protect our BNDP, then Buckingham Town Council must strongly oppose this application. I would remind members that in July 2017 the Secretary of State refused an appeal against refusal of permission for 130 dwellings at Moreton Road Phase 3, overruling his inspector after the inquiry.

The Minister disagreed with the Inspector's conclusion that there is no conflict with BNDP Policy HP1. He said "I consider that the application site is both unallocated and outside the settlement boundary ... and, as a consequence, the Secretary of State considers the proposals are not policy compliant. Where an application conflicts with a neighbourhood plan, planning permission should not normally be granted."

This application is little different to that for Moreton Road, and indeed Wates themselves confirmed during public consultations that they would comply with the most recently adopted local plan. That is the BNDP. AVDC had an 11.7-year housing supply in 2018, far in excess of the required 3 years which the Minister stated in 2017 were sufficient to give NDPs full weight.

Our concerns about affordable housing are supported by AVDC's Affordable Housing Development officer Vikki Slawson, who has also drawn Wates' attention to BNDP Policy HP5, which states that 35% should be provided on sites of 25 dwellings or more. She continues, "we would expect to see at least 147 affordable

units, and the applicant should also liaise with BTC with regards to the status of a Community Land Trust (providing affordable housing for local people) as referenced on Page 32 of the BNDP.”

Members may be aware that Ministry of Housing data published last week shows that in March 2018 there were 3,688 households on the Aylesbury Vale waiting list, 20% more than two years previously. I would accordingly question why AVDC is looking for only 25% affordable housing in the draft VALP, contrary to every authority around it, ours included,

Further issues that might concern members are the lack of any community assets on this 420 dwelling estate – no community centre, no shop, no pub and no school – not so much as a youth shelter for teens to hang about in - (yes, there are play areas, but people need more than that, and there is nothing within walking distance) – lack of a connecting road between the two development parcels, the overarching reliance on cars to get to town, schools and leisure facilities. The smaller area has no means of exit in an emergency should the access be blocked, and that access faces the industrial area. Taken together with the Triangle diagonally across the Gawcott Road roundabout this makes 800 houses with no facilities other than children’s playgrounds – how will residents be able to build a community?

This is an outline application, and if members were to accept it, we would need to get the facilities and layout sorted out now. Actual house designs and distribution, materials and so on are for the detailed stage. My recommendation is that we oppose and attend, as this application is contrary to the Buckingham Neighbourhood Development Plan in all the respects I have outlined.

**Cllr Mark Cole JP**  
**Chairman, BTC Planning**  
**February 4<sup>th</sup> 2019**

**17/04668 LAND NORTH OF A421 TINGEWICK ROAD**

Members will be aware that we supported this application at the outline planning stage for 400 houses in the Tingewick Triangle, which were allocated in the Buckingham Neighbourhood Development Plan. This is housing we want, placed where we want it, underlining the effectiveness of local plans. By the same token, we need to avoid at all costs a repeat of the Lace Hill problems, which are still ongoing.

Barretts David Wilson North Thames have now come back with their reserved matters application, detailing the layout, appearance and scales of the buildings, roads and green areas. There have been a number of meetings between BDW and ourselves – the most recent last Friday - with AVDC, with the County Council, and with the Buckingham Society. BDW has responded with changes following a meeting with Design South East and has reacted positively.

What you have before you tonight is the final vision for the estate, which has been scaled back to 382 dwellings, and which includes 35% affordable housing (134 dwellings). Modifications made include considerably less shared street surfaces; a reduction of landmark buildings; and a reduction in parking spaces, down from 996 to 874, which is still within AVDC guidelines, but disappointing.

AVDC Parks & Recreation has asked for the removal of the football pitch and relocation of the NEAP play area closer to dwellings, to which the applicant has agreed. But objections raised by the BCC Surface Drainage officer Vikki Teasdale on grounds of attenuation and drainage schemes on 19<sup>th</sup> July 2018 do not appear to have been yet withdrawn, and any approval we might give needs to be subject to SuDS approval.

There are other minor matters to do with surface water drainage which Cllr Stuchbury wishes to raise, and the installation of a metalled path along the

site boundary to St Rumbold's Well, which is to be tidied up and an information board added with s106 money. But there is nothing further that I can see which should prevent us from giving approval tonight, subject to matters above.

**Cllr Mark Cole JP**  
**Chairman, BTC Planning**  
**February 4<sup>th</sup> 2019**

DRAFT

**WEST END FARM 18/04290**

These are amendments and comments in reply to a number of concerns which we raised about the redevelopment of West End Farm as a 'retirement village', to use the agent's own words.

To remind you, it is effectively a new application, although the new developer Brio Retirement Living Holdings Homes chooses to call it an amendment. It follows approval after appeal against refusal of the original application, 16/00847, made in April 2018 by Minton Health Care and Oak Retirement Living, for 72 extra care units.

The agent, John Sneddon, has replied to a number of the concerns we raised at the December 17<sup>th</sup> Interim Council meeting, when we opposed the application, as we consider it to be a retirement complex, not a care home. We note, however, that the minimum age for occupancy is 55 years.

Mr Sneddon agrees that it is not a care home, but remains a C2 use; we maintain it is a C3 use, which would attract a 35% affordable housing content. Planning law states "Planning applications for extra care housing may fall into either category C2, which covers "residential institutions", or C3 which is "dwelling houses". It is frequently unclear into which box extra care housing should be put. This in itself leads to uncertainty and possibly conflict with developers and other agencies."

He agrees that he referred to it at Interim Council as a retirement village, but maintains "it is a care community with 24 hour care, and that is C2 use." Regarding modular building, he states that construction time will be reduced from 100 weeks to something close to 50 or 60 (still a year) with significantly less traffic, as timbers, bricks etc will not need to be delivered.

He says residents will not be taking children to school nor going to jobs (even if 55?) unlike other developments, and that there will be 72 parking spaces for the residents, staff and visitors to the 72 units. Staff will not live in, but will work appropriate hours, and none will live on site. "The guest suite," he says, "will be used for staff rest as it is not always in use for guests." And when it is in use?

The 64 staff jobs which he says the development will generate "are purely operational staff, not construction or ground staff."

Brio is happy restore to chimneys to keep the design reference to nearby Edwardian houses “if the district officer wants” (not ‘if BTC wants’, you will note). They have reduced the number of French windows, over which we had security issues, and point out that the previous application did not have gardens, but they will encourage planters, and will promote a gardening club.

Medical waste will be dealt with by staff and correctly disposed of. Finally, there will be facilities for mobility scooters to be brought into their units and/or communal areas

There is no need for a decision tonight unless members feel that the agent’s response has answered all our concerns. If not, then our position would be unchanged, in that we oppose it on the same Neighbourhood Plan grounds as we did the original application.

**Cllr Mark Cole JP**  
**Chairman, BTC Planning**  
**February 4<sup>th</sup> 2019**