

PL/01/20

Minutes of the **PLANNING COMMITTEE** meeting held on Monday 18th May 2020 at 7.00pm online via Zoom.

Present:

Cllr. M. Cole
 Cllr. G. Collins Town Mayor
 Cllr. J. Harvey
 Cllr. P. Hirons (Vice Chairman)
 Cllr. A. Mahi
 Cllr. Mrs. L. O'Donoghue (Chair)
 Cllr. A. Ralph
 Cllr. R. Stuchbury
 Cllr. M. Try

Also present: Mrs. C. Cumming (co-opted member)
 Mrs. N. Stockill (Committee Clerk)
 Mrs. K. McElligott (Planning Clerk)
 Mr P. Hodson (Town Clerk)
 Cllr. W. Whyte Buckinghamshire Councillor
 Mrs S McMurtrie (Town Plan Officer)

PUBLIC SESSION

20/01332/AOP (Buckingham Primary Care Centre, Buckingham Community Hospital)

A member of the public attended the Public Session to raise concerns over the out of town location of the Buckingham Primary Care Centre. It was stressed that elderly residents would be unable to walk to the Lace Hill Medical Centre and any two storey development on the North End site would overlook existing residents.

Dr Gavriel read out a statement from the Swan Practice:

"Thank you to the Town Clerk and the committee for inviting us to address this meeting during the preceding public session.

Planning applications 20/01332/AOP and 20/01333/AOP are a distinct and separate element of The Swan Practice future aspirations to develop a new Health and Care Centre. Outline planning permission for our existing sites has been sought solely to aid the disposal of soon to be obsolete buildings currently owned by the GPs which will not be required for the provision of healthcare services following the opening of the new Health and Care Centre.

We are aware that the emotive subject of healthcare provision is prone to divert the attention from what is a simple outline planning application for the purpose of future business planning. As such we ask the committee to judge the applications solely on their merits as planning applications.

To aid this process we would like reiterate;

- *The Swan Practice remains committed to providing a town centre presence to meet the needs of the small proportion of our patients who will be unable to travel to the new health and Care Centre and we continue to work with the One Public Estate team on this*
- *The Swan Practice will provide uninterrupted healthcare provision for the residents of Buckingham and surrounding villages during the transition to the new Health and*

Care Centre. To further reassure the committee our contract with the CCG would not allow any provision for a 'gap in service'

- We ask that the committee consider this application in the context it is submitted, as an AOP. Whilst we recognise there is nothing to stop a purchaser putting in a variation application 'packing more houses in', 'enlarging the building' or 'deleting all the parking spaces', any such amendments would be required to go through an appropriate planning application. This Committee would then have the opportunity to object to any inappropriate plans at that time and so we ask this AOP is considered on the grounds of the information presented today."

Cllr. Cole asked Dr Gavriel to list the three town centre surgeries. Dr. Gavriel confirmed that Verney Close and North End surgeries were used to deliver clinical services and are currently owned by the GP partners. Masonic House was being used for administrative staff and was not fit for clinical purposes and not owned by the GP partners.

Cllr. G. Collins asked Dr. Gavriel to confirm where, in the town centre, the Practice would host a satellite surgery. Dr Gavriel said they working on many possible options with Buckinghamshire Council via One Public Estates. One of the many potential locations being considered was a satellite surgery in the same building as Buckingham Library. Mrs Cumming asked if Swan Practice has considered Buckingham Hospital or Verney Close Surgery. Dr Gavriel said there were no funding options to keep the current surgery sites open. However, the Buckingham Hospital was one of the options in consideration for retaining a town centre presence.

Dr. Gavriel stressed that any plans were subject to the timing of funding and it was hoped this would be within the next two years.

Cllr. Whyte agreed to progress the matter with One Public Estates.

31/20 Election of Chair

To elect a Chair of the Committee for 2020-2021

Proposed by Cllr. Cole, seconded by Cllr. Mahi and unanimously **AGREED** to appoint Cllr. O'Donoghue to the position of Chair.

32/20 Election of Vice Chair

To elect a Vice Chair of the Committee for 2020-2021

Proposed by Cllr. O'Donoghue, seconded by Cllr. Stuchbury and unanimously **AGREED** to appoint Cllr. Cole to the position of Vice Chair.

Cllr. O'Donoghue recorded her thanks to Cllr. Hiron for his time as Vice Chair.

33/20 Apologies for Absence

Members received apologies from Buckinghamshire Councillor Clare.

34/20 Declarations of Interest

Cllr. Stuchbury declared an interest as a member of the Buckinghamshire Fire Authority and Member of Buckinghamshire Council North Bucks Planning Committee.

Cllr. Mahi declared an interest as a member of the Patient Participation Group (PPG) for The Swan Practice.

A Member of the public left the meeting during this point in the agenda.

35/20 Minutes

Members received and **AGREED** the minutes of the Planning Committee Meeting held on Monday 20th April 2020 the Full Council meeting to be held on Monday 11th May 2020.

36/20 COVID-19 Update

Members received a brief verbal update from the Town Clerk.

37/20 Terms of Reference

37.1/20 (927/19) Rights of Way – Cllr. Stuchbury

Proposed by Cllr. Stuchbury, seconded by Cllr. Cole and unanimously **AGREED** to include Rights of Way specifically in the Committee's Terms of Reference as part of the Committee's remit.

ACTION TOWN CLERK

37.2/20 (19.2/20) Terms of Reference

To discuss, amend and recommend any proposed changes to the existing Terms of Reference to Full Council. Members held a discussion on whether 'Chairman' was a male generic term. Some argue that the term chairman could be used to denote either a man or a woman.

Proposed by Cllr. Harvey, seconded by Cllr. Stuchbury to amend the Terms of References for the Planning Committee replacing all references to Chairman and Vice Chairman with the gender-neutral Chairperson and Vice Chairperson.

Members were in agreement that any amendments to the Terms of Reference would be further discussed at Full Council. Cllr. Harvey called for a recorded vote and the results were:

In favour: Cllrs. Stuchbury and Harvey.

Against: Cllrs. G. Collins, Cole, Hirons, Try, Ralph, Mahi and O'Donoghue

Motion fell.

ACTION TOWN CLERK

Proposed by Cllr. Ralph, seconded by Cllr. Stuchbury and unanimously **AGREED** to insert co-opt members from outside bodies as and when it is appropriate on an ongoing basis.

ACTION TOWN CLERK

38/20 Buckingham Neighbourhood Plan/Vale of Aylesbury Plan

Members received a written report from the Town Plan Officer. Cllr. Hirons said that VALP may receive substantial changes and need to undergo another consultation and all the while the Buckingham Neighbourhood Development Plan was getting older. Cllr. Hirons stressed that the BNDP would need to be in conformity with VALP. The Town Plan Officer reassured Members that the new BNDP was coming together and building an evidence base to challenge any planning applications.

The Town Plan Officer explained that the original Town Centre boundary was defined within the Buckingham Neighbourhood Plan (BNDP) 2015 and could be seen as restrictive. Members discussed consulting on the expansion of the Town Centre boundaries to incorporate additional streets, including Fishers Field, Tingewick Road and Hunter Street.

The Town Plan Officer said that Buckinghamshire Council's predecessors had indicated that it would unlikely that CIL would be considered until after VALP was in place, and potentially for significantly longer. Members thanked the Town Plan Officer for her hard work.

39/20 Action Reports

39.1/20 Members received and noted the action report.

39.2/20 (726/19) Parked car, bypass verge.

Members received a response and noted that Cllr. Shaw was no longer the Cabinet Member for Transport.

40/20 Planning Applications

20/01240/APP

5 The Villas, Stratford Road
Single storey side extension

OPPOSE (CALL-IN)

The Chairman read aloud comments and observations of a near neighbour to The Villas. Members noted that conditions attached to previous applications for this site had not yet been implemented, most notably the matching decorative panel on the bay window of No.3 over the archway (also noted by the Planning Inspector for 16/03784; ¶3) and the landscaping, and that the garage was unusable as such because of the considerable height difference between its floor and the gravelled yard, contrary to ¶16 of the Inspector's Report. The feeling of the meeting was that these should be remedied before any new applications were considered. Note was also taken that the previous building works had required delivery vehicles to park on the Stratford Road (A422) opposite the junction with Addington Road (at the time a two-way junction) causing a considerable obstruction – because the archway is not high enough to permit even a van through into the parking court.

The application was also opposed on the grounds of overdevelopment of an already crowded site; proximity to neighbours (not well shown on the drawings); effect on the flood plain (the whole site from 1 The Villas/22 Wharfside Place to 6/8/10 Wharfside Place was flooded in 2007, leading to the FFL of Nos 4 & 5 being raised considerably above the existing ground level) as this sizeable extension will cause displacement of flood waters into neighbouring properties; the lean-to design is out of character with the existing dwellings, affecting the street scene on a principal entrance to the town.

*It was **AGREED** by the Committee to request the application be called in.*

As the Planning History on the LPA website is incomplete a corrected one which includes the applications for Nos 4 & 5 is appended for the officer's information:

1	08/02503/APP	Erection of No.2 semi detached dwellings and alteration to existing terrace to create vehicular access under and apartments over with rear dormers	Application Withdrawn
2	09/02070/APP	Erection of No.2 semi detached dwellings and additional works to existing terraced dwelling to provide vehicular access under 2 bed apartment over	Approved
3	13/03067/ACL	Proposed erection of rear facing dormer	Certificate Issued - Proposed Develop't
4	14/02882/APP	Erection of double garage	Approved
5	16/03784/APP	Infill development between existing dwellings and above existing parking to provide new one bed apartment	Refused Allowed on Appeal
6	17/01968/APP	In fill development between existing dwellings and above existing parking to provide new one bed apartment	Refused
7	20/01240/APP	Single storey side extension	Pending consideration

20/01332/AOP

DEFERRED FOR FURTHER INFORMATION

Buckingham Primary Care Centre, Buckingham Community Hospital, High Street [North End Surgery]

Planning Minutes (18.5.2020)

DRAFT

page 4 of 11

PUBLIC SECTOR EQUALITY DUTY 2010/CRIME AND DISORDER ACT, 1988: the decisions made during the course of the meeting were duly considered and it was decided that there were no resulting direct or indirect implications in respect of crime and disorder, or equalities considerations, other than those stated in the minutes.

Initial.....

Outline planning permission for demolition of existing development and erection of up to 8 dwellings

Members' response was agreed before the application had been advertised in the neighbourhood. If, after the statutory notices have been posted, neighbours make comment and possibly raise valid planning reasons not obvious to Members viewing from the public domain, they reserve the right to amend their response.

Members commented on the lack of information in the submission and draw the officer's attention to the following sections of the Conservation Area SPG:

3.6.2 (change of use of site);

4.3.2 (supply of sufficient information);

4.3.6 (design – no reference has been made to the Buckingham Vision & Design SPG);

4.3.7 (respect form and scale of nearby buildings – the outlines show that they will be larger than, and the steep slope of the land means a two-storey building will overpower and overlook, the narrow cottage-style houses on the High Street and North End Square);

4.3.13, .14 & .15 (demolition of existing buildings; there is no evidence of investigation into the retention of the existing building with a change of use, which is more energy-efficient than demolition and rebuilding); and

4.3.18 (contribution to the character of the area – large and visible modern roofs will be incongruous)

and

PPS5: HE6.3 Local planning authorities should not validate applications where the extent of the impact of the proposal on the significance of any heritage assets affected cannot adequately be understood from the application and supporting documents.

'Development' in this context means any works that require planning permission, listed building consent or conservation area consent, and references to 'applications for consent' mean applications for any of those consents.

and

BNDP: (7.13) In respect of proposed family dwellings the Town Council would generally expect to see the provision of private garden space (normally at the rear), of at least 10 metres in length". At least half do not (and whatever the ADP eventually offers, the space is too limited to permit this), and as for the nearest play area for children this is in Bourton Park or Bridge Street.

Members therefore defer comment until it is decided whether an AOP is appropriate for a Conservation Area site, and the submission of additional documentation, to at least include:

- a site section to true scale to show the effect of typical 2-storey houses on the existing residential properties;*
- given the greatly increased area to be covered by building and paved frontages, the safe disposal of surface water away from the existing house's rear gardens, and assurance from the Water Authority that the sewer system is adequate to residential use of 8 dwellings;*
- a report showing why an alternative use for the existing building has been discarded;*
- a response from Economic Development indicating that a development of 8 new houses is better for the town centre economy than a retail or commercial building serving not only the town but the surrounding villages (who have scant bus services and no shops, in the main).*

They also note that, although the two applications were considered separately, the Case Officers were different and asked that each be made aware of the other application from the same applicant considered at this meeting, in this case 20/01333/AOP - Verney Close

Family Practice, Verney Close: Outline planning permission for demolition of existing development and erection of 1 residential building comprising 6 flats, off street parking, bin storage and bicycle storage.

Cllr. Mahi asked for a recorded vote on a Deferred for Further Information response.

In favour: Cllrs. O'Donoghue, Harvey, Cole, Ralph and Try

Against: Cllrs. Hiron and Mahi

Abstentions: Cllr. Stuchbury

The Town Clerk was asked to investigate whether the existing building could be listed as a Community Asset. **ACTION TOWN CLERK**

It was noted that the Property History on the LPA's website contained only the current application; The officer may find the additional information below of use:

1	86/01320/AOP	NEW SURGERY	APPROV
2	94/01229/APP	EXTENSION TO SURGERY	APPROV
3	03/01721/APP	Single storey side extension to doctors surgery	Approved
4	20/01332/AOP	Outline planning permission for demolition of existing development and erection of up to 8 dwellings	Pending Consideration

20/01333/AOP

DEFERRED FOR FURTHER INFORMATION

Verney Close Family Practice, Verney Close

Outline planning permission for demolition of existing development and erection of 1 residential building comprising 6 flats, off street parking, bin storage and bicycle storage

Members commented on the lack of information in the submission and draw the officer's attention to the following sections of the Conservation Area SPG:

3.6.2 (change of use of site);

4.3.2 (supply of sufficient information);

4.3.6 (design – no reference has been made to the Buckingham Vision & Design SPG);

4.3.13, .14 & .15 (demolition of existing buildings; there is no evidence of investigation into the retention of the existing building with a change of use, which is more energy-efficient than demolition and rebuilding); and
and

PPS5: HE6.3 Local planning authorities should not validate applications where the extent of the impact of the proposal on the significance of any heritage assets affected cannot adequately be understood from the application and supporting documents.

'Development' in this context means any works that require planning permission, listed building consent or conservation area consent, and references to 'applications for consent' mean applications for any of those consents.

Members therefore defer comment until it is decided whether an AOP is appropriate for a Conservation Area site, and the submission of additional documentation, to at least include:

- a shade-cast diagram to show the effect of the proximity of Candleford Court;
- a fuller description of 'amenity space' which seems to comprise car parking only;
- a recognition that Verney Close Woodland is a designated Local Green Space;
- clarification of the ownership of the three 'visitor' parking spaces at the head of Verney Close which have yellow-line parking restriction (No Parking Monday –

Saturday 9am – 5pm), enforced by the Parking Wardens, and therefore appear to be Highway land;

- how a FFL 300mm above the 1:100 year flood level – implying steps at the entrance if the ground level is to be maintained – is disabled-accessible;
- any reason why the provision of residential accommodation in the flood plain, particularly involving sleeping accommodation on the ground floor, should be permitted contrary to the BNDP and NPPF, particularly when the FRA includes

6.1 Vulnerability to flooding: The existing site is a doctors surgery – which is classified as “more vulnerable” under the NPPF. Post development, the site will remain “more vulnerable” throughout, as the proposed application is for the construction of a three storey block of 1 and 2 bedroom flats. As such, there will be an increase in vulnerability post development (introduction of additional residential units).

and

6.4 Safe Escape and Flood Action Plan: The NPPF requires a route of safe escape for all residents and users to be provided from new residential properties in Flood Zone 3. Safe escape is usually defined as being through slow moving flood water no deeper than 25cm during the 1:100 year plus allowance for climate change flood event. With a potential depth of flooding on site of up to 0.83m, it is not possible to provide a safe route through shallow flooding.

They also note that, although the two applications were considered separately, the Case Officers were different and asked that each be made aware of the other application from the same applicant considered at this meeting, in this case:

20/01332/AOP - Buckingham Primary Care Centre, Buckingham Community Hospital, High Street [North End Surgery], Outline planning permission for demolition of existing development and erection of up to 8 dwellings.

A vote was taken on the proposal to defer for further information and the results were:

In favour: 5

Against: 2

Abstentions: Cllr. Stuchbury

Members felt that a meeting with the Swan Practice and their consultants may be desirable, however this would be for the Environment Committee to consider.

ACTION: ENVIRONMENT COMMITTEE

The Town Clerk was asked to investigate whether the existing building could be listed as a Community Asset.

ACTION TOWN CLERK

As the Property History appears to have been mixed up with that of the neighbouring day centre (a Buckinghamshire Council facility) the following is appended for the officer's information:

1	89/00504/APP	ERECTION OF EXTENSION AND ALTERATIONS TO DOCTORS SURGERY ADDITIONAL CAR PARKING PROVISION	APPROV
2	89/02954/APP	SINGLE STOREY SIDE EXTENSION	APPROV
3	20/01333/AOP	Outline planning permission for demolition of existing development and erection of 1 residential building comprising 6 flats, off street parking, bin storage and bicycle storage	Pending Consideration

The Town Plan Officer left the meeting during this point in the agenda

20/01334/APP**NO OBJECTIONS**

10 Newcombe Crescent
Loft conversion with rear roof light windows

Members' response was agreed before the application had been advertised in the neighbourhood. If, after the statutory notices have been posted, neighbours make comment and possibly raise valid planning reasons not obvious to Members viewing from the public domain, they reserve the right to amend their response.

20/01359/APP**NO OBJECTIONS**

23 Hilltop Avenue
Enlargement of approved external raised decking area and new rear patio

20/01407/APP**NO OBJECTIONS**

7 Spindle Mews
Erection of summerhouse

Members' response was agreed before the application had been advertised in the neighbourhood. If, after the statutory notices have been posted, neighbours make comment and possibly raise valid planning reasons not obvious to Members viewing from the public domain, they reserve the right to amend their response.

20/01416/APP**NO OBJECTIONS**

5 Twickenham Road
Single storey rear extension (amendment to approval 20/00064/APP)

Members noted that the lengthened extension would not project beyond the rear of the garages.

Not for consultation**20/01366/ACL**

9 Fleet Close

Application for a Lawful Development Certificate for the proposed single storey rear extension

Members queried whether an ACL was appropriate when PDR had been removed from this part of the estate. It was also reported that much tree felling had occurred recently at the rear of the premises, and a gate installed.

20/01451/ATC

Coopers Wharf, Ford Street

T1 – Pollard willow leaning into the River Ouse, This is a low amenity tree blocking the waterway

The following **Minor Amendments** had been received, for information only:

20/00885/APP Land north of Tingewick Road; addition of 7 dwellings

20/00886/APP Land south of Tingewick Road; addition of 10 dwellings

The Minor Amended Plans are revised Site Plans and Planning Schedules (lists of houses by type and number) resulting from the redistribution of Affordable Housing to suit the maximum permitted cluster size. This redistribution occurred just before the last meeting, and Members were advised of it at the time, and had no objections.

Members' response was agreed before the application had been advertised in the neighbourhood. If, after the statutory notices have been posted, neighbours make

comment and possibly raise valid planning reasons not obvious to Members viewing from the public domain, they reserve the right to amend their response.

41/20 Planning Decisions

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

		BTC response	Officer recommⁿ
Approved			
19/03398/APP	Oddfellows Hall Conversion to 9 flats		Oppose & attend*
19/04075/APP	Bourton Meadow Sch. Replacement of temp. classroom		No objections
20/00506/APP	12A Stowe Avenue 2-st front & s/st side & rear extrn's		Oppose & Attend**
20/00590/APP	11 Woodlands Cres. 2-st rear extension, pitched roof		No objections
20/00697/APP	45 Westfields S/st. rear extension		No objections
20/00810/APP	15 Page Hill Avenue Garage conversion		No objections

The Planning Clerk pointed out that all the 14 neighbour comments have been removed from the document list for this application. Concern has been expressed that prospective bidders at the auction of the property will not gain a true picture of the feeling amongst local residents or of wider non-site-specific problems like the state of the Well Street sewers and difficulty of access raised by several of them. At the very least it is felt that all documents should be retained for the six months' appeal period.

AGREED ACTION PLANNING CLERK

The Town Clerk has supplied this clause of the Constitution for Members' information:

Corporate Director or Directors with Responsibility for Planning

2.18. For clarification the powers delegated in section 2.10 above to the Corporate Director or Directors with responsibility for planning includes delegated powers and duties to deal with all matters relating to development management including but not limited to: a. Determine all applications, grant permission, refuse permission, to publicise applications, to comment or make representations on applications, notifications and consultations, to raise objections, to require documentation and information, to take appropriate action on enforcement, to negotiate, authorise sealing, complete, vary, discharge or amend planning obligations and agreements, process and determine all decisions relating to neighbourhood planning and other planning functions;

See also Agenda item 13 below.

Withdrawn

20/1171/APP Telecom Antenna, Gawcott Road New mast (Withdrawn before 20/4/20 meeting)

Planning Inspectorate

19/02785/ACL 2 Constance St, Appeal against Refusal n/a (Not consulted on)
Application for Certificate of Lawfulness for a proposed loft conversion to habitable space. Insertion of roof lights, erection of partitions and installation of window in gable end.
Inspector has allowed the appeal.

42/20 Buckinghamshire Council Committee meetings

- 42.1/20 N. Bucks Area Planning Committee (25th May 2020) *Cancelled*
- 42.2/20 Strategic Sites Committee (26th May 2020) *Cancelled*

43/20 Buckinghamshire Council Planning Constitution

43.1/20 Members **AGREED** to discuss the matter within the confidential setting. The Buckingham Society expressed concern at the proposals within the constitution and the apparent lack of consultation. Mrs. Cumming said the three minute rule was appalling and it gave too much power into individual hands.

43.2/20 The response to a question sent to Parish Support was noted.

44/20 Enforcement

10 Hilltop Avenue - The enforcement of the refusal for the garden fence had already been reported when the statutory six months expired. It was now noted that the panels for constructing a shed had been delivered, without the seeking of permission (PDR removed from the estate).

45/20 Matters to report

The Planning Clerk reported that the ARDS building services sign, located on the bypass, had been acknowledged by Highways.

46/20 Chairman's items for information

Members discussed the Public Session and agreed not to issue a press release on the Swan Practice's statement.

47/20 Date of the next meeting:

Monday 1st June 2020

48/20 COMMITTEE IN PRIVATE SESSION

Exclusion of Public and Press

RECOMMENDED In terms of Schedule 12A, Local Government Act 1972, the following items will be likely to disclose exempt information relating to establishment and contractual matters and it is, therefore, **RECOMMENDED** that pursuant to the provisions of the Public Bodies (Admissions to Meetings) Act 1960 the public and press be excluded.

49/20 Working with Buckinghamshire Council

Members were in agreement that Buckinghamshire Council should be lobbied to reintroduce the system whereby the parishes could advise the Case Officer via the response sheet that they wished to represent their views in person at to the Committee. It was **AGREED** for and Town Clerk to write, following consultation with the Chairman and Vice Chairman, to Cllr. Whyte as Cabinet Member for Planning, copying the Leader and Chief Executive, along with the Chairmen of AVALC and the North Bucks Planning Committee in this vein. **ACTION TOWN CLERK**

Members **AGREED** to discuss further at the next meeting of the Planning Committee. **ACTION PLANNING CLERK**

Meeting closed at 10pm.

Chair..... Date.....

DRAFT