

Minutes of the **PLANNING COMMITTEE** meeting held on Monday 27th November 2017 at 7.00pm in the Council Chamber, Town Council Offices, Cornwalls Meadow, Buckingham

Present: Cllr. Mrs. J. Bates
 Cllr. M. Cole (Chairman)
 Cllr. J. Harvey Town Mayor
 Cllr. D. Isham
 Cllr. A. Mahi
 Cllr. Mrs. L. O'Donoghue
 Cllr. M. Smith
 Cllr. Mrs. C. Strain-Clark (from minute 555/17)
 Cllr. M. Try

Also present: Mrs. C. Cumming (co-opted member)
 Mrs. N. Stockill (Committee Clerk)
 Mr. K. James AVDC
 Mr. H. Hussain AVDC
 Ms. A. Culvert AVDC
 Ms. M. Wright AVDC

For the Town Clerk: Mrs. K. McElligott

543/17 Apologies for Absence

Members receives and accepted apologies from Cllrs. Stuchbury, Hirons and Strain-Clark

544/17 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.

Cllr. Harvey declared a personal interest in Planning Application 17/01020/ACL as a previous client of the chiropractic clinic.

545/17 Minutes

To receive the minutes of the Planning Committee Meeting held on Monday 30th October 2017 ratified at the Full Council meeting held on 20th November 2017.

AGREED

546/17 Presentation

To receive a presentation from BCC on proposed cycleway improvements within the town from Tayo Akinyosade, Highway Infrastructure Project Officer.

The Planning Clerk explained that in lieu a meeting had taken place on the 24th November between the Town Clerk, County Councillors and Project Officers of BCC Highways and TfB. The Planning Clerk noted the following points from the meeting:

Two routes are proposed from London Road to the town centre, and in the long term to Maids Moreton;

1. via Hare Close cut-through, Badgers Way, Bourton Park to Stratford Fields bridge, Heartlands and the new path into Cornwalls Meadow ("Blue Route")
2. via the London Road ("Red Route")

Priority is being given to route 1, with 6 weeks consultation starting mid-December, and the aim of having the civil works completed by the end of March.

A site visit was agreed to establish to the best solution for both route options. BCC indicated that Route Option 1 could be completed by the end of the 2017/18 financial year.

547/17 AVDC Parish Support

To welcome Mr. Hazrat Hussain of the Parish Liaison team, and discuss the role and fields of activity of the team.

Members welcomed the Parish Liaison Team and introduced Members of the Planning Committee. Mr. James spoke to Members about the AVDC Graduate Scheme and measures the District Council were taking to attract new people into the planning Department. Mr. Hussain gave some background to the Parish Liaison role noting that he was working with a number of Parish/Town Councils and fielded a wide range of queries from planning issues to reports of dog fouling. Mr. Hussain said he was looking at solutions to future problems before they arise.

Cllr. Cole remarked that Mr. Hussain had made a significant improvement to the speed at which Planning issues were resolved for Buckingham Town Council.

Cllr. Isham asked how AVDC had lost so many experienced Planning Officers in the last few years. Mr. James said that some Officers had left the Authority following departmental restructures and this resulted in a reliance on Consultants to fill gaps in recruitment.

Mr. James said they wished to work in collaboration with Parish and Town Councils and felt they had a good working relationship with Buckingham Town Council.

Cllr. Bates explained that often AVDC's Planning Officers were making decisions without having visited the site. Mr. James said that Planning Officers should be visiting sites as part of their assessment and agreed to feedback the Town Council's concern.

The invited guests left the chamber at 19.35

548/17 Buckingham Neighbourhood Plan/Vale of Aylesbury Plan

To receive any update.

Nothing additional to report.

549/17 Action Reports

549.1/17 To receive action reports as per the attached list.

Noted.

549.2/17 (586.2; parking for Domino's) Clarification of the Town Hall frontage parking

Noted.

549.3/17 (317/17; Equality Act) Response

Members discussed and **AGREED** for The Planning Clerk for forward the link to Committee Members to consider a personal response.

550/17 Planning Applications

For Member's information the next scheduled Development Management Committee meetings are 14th December 2017 and 4th January 2018, with SDMC meetings on 13th December 2017 and 3rd January 2018.

To consider planning applications received from AVDC and other applications

17/01020/ACL

NO OBJECTIONS

12 Brackley Road
Continued use of one room as chiropractic clinic

17/04003/APP

OPPOSE

Unit 18 Osier Way

Change of use to Class D2 and the installation of plant equipment to facilitate the operation of a 24 hour gymnasium

Members noted that there was no indication of how many people might be employed at the facility

and opposed as the use was inappropriate in an retail/employment area as designated by the Buckingham Neighbourhood Development Plan

The following two applications were considered together:

17/04023/APP & 17/04326/ALB

CONDITIONAL SUPPORT

Stoneleigh House, 17 Castle Street

Change of use of 7 bedroom residential property to 6 bedroom hotel with associated works

Members approved the principle of the change of use as filling a gap in overnight accommodation premises in the town, but concern was expressed at the apparent lack of fire escape provision, especially from the second floor, and where escapees might assemble safely.

Support was given subject to the Historic Buildings Officer's recommendations.

17/04078/APP

CONDITIONAL SUPPORT

Ground floor and basement, 1-2 Castle Street

Change of use from hotel bar lounge and coffee lounge to coffee shop and external alterations

Members could not see why a new doorway was required, given that the hotel already served coffee in this lounge and customers, as now, could enter via the main door. The pavement is narrow at this point, too narrow to accommodate smokers and allow pedestrians to pass, and it appeared that the doorway is to have a step entrance.

Should the Authority be minded to approve the proposal, Members would like

- 1. The street door to be deleted, so that smokers are directed into the courtyard*
- 2. If there are good reasons for the insertion of a door to the street, it be positioned in the same position as that of the previous shop unit, and*
- 3. The access to be level or ramped, not a step*
- 4. Proper provision of an accessible toilet, as the hotel does not have this except in the ground floor bedrooms across the courtyard, only available if these are not booked.*

17/04200/APP

SUPPORT

Sports Grounds, Bourton Road

Replacement of existing 2 lane training nets with brand new 3 lanes arrangement

17/04202/APP

NO OBJECTIONS

15 Bernardines Way

Loft conversion and single storey rear extension

17/04223/APP

NO OBJECTIONS

5 Boswell Court

Remove glazed roof to existing conservatory and convert structure to permanent extension of the house

17/04247/APP

NO OBJECTIONS

1 Jacob

Proposed single storey rear extension

17/04335/ALB

NO OBJECTIONS

25 Market Hill

Replacement of 4 windows and door

Members would be glad to see the building brought back into good order, but left the detail to the Historic Buildings Officer.

The following Additional Information has been received, for information only:

17/00746/APP

NOTED

Former Railway Station Site, Station Road

Erection of a new student accommodation (C2) building including ground floor parking with associated landscaping and access

Additional plans and document: drainage details, attenuation pond, flood risk & SuDS Maintenance Plan

The Parish Liaison Officer had reported that an extension of time to 1/12/17 has been agreed, to accommodate AVDC's discussions with SuDs and Highways.

Members were happy to leave drainage matters to the County Officers, but would like information on whether the drains were adequate for the extra volume in flood conditions, given previous experience of overflow into Station Road.

Members also noted BCC's proposed conditions for the perpetual access via Railway Walk, and asked for information on who would be responsible for maintenance of the University section, as the upgrading to cycleway was part of the s106 for a different site.

16/A1413/DIS

NOTED

Land off Chandos Road [at the entrance to Waglands Garden]

Discharge of conditions for approved application 16/01413/APP for 9 flats and a detached house and garage.

Additional documents: a) BCC's response of 11/10/2017; b) revised drainage layout drawing and computations

Members expressed concern at the long-term maintenance of the attenuation system, in particular the necessary regular de-silting, if it were to be a charge on residents via a management company..

Not for consultation:

17/04067/INTN

11A Meadway

Notice of Intention to install electronic communications apparatus pursuant to the Town & Country Planning (General Permitted Development) (England) Order 2015 and the Electronic Communications Code (Conditions and Regulations) 2003

AVDC has already recorded a 'No Action' response

17/04140/INTN

Road outside 4 McKenzie Close [actually verge at Chandos Road/London Road junction outside Sainsbury's]

Notice of Intention to install x1 electronic communication apparatus pursuant to the Town & Country Planning (General Permitted Development) (England) Order 2015 and the Electronic Communications Code (Conditions and Regulations) 2003 (as amended)
AVDC has already recorded a 'No Action' response
Cllr. Try suggested an underground installation might be preferable at sites where good visibility was important.

17/04160/ATC

Cornwalls Centre, High Street

Fell one false acacia and grind stump down below ground level, due to fungal infection putting the tree at risk of total failure.

A consensus of Members supported the felling; other comments about replacement have been sent to the applicants. Members would like to see a replacement tree, possibly housed in a planter to prevent infection by the fungus, or a tree sculpture in wood or metal. AVDC have already made an approval decision.

17/04295/ATP

Maids Moreton Avenue [*applicant lives at 4 Manor Gardens; the TPO is for the whole Avenue and predates the development of both Manor Gardens and Moreton Grange*]

Ash, Oak, Sycamore, height 18m, spread 12m in TPO Group1

Clear branches in contact with the wall; fell self set sycamores in group; 2.5m partial reduction of sycamore overhanging the driveway

A consensus of Members supported the work.

NB: it is not clear from the mapping whether the trees are within the curtilage of 4 Manor Gardens, or gardens of houses on Moreton Grange. If the latter, the applicant will have to obtain permission of the trees' owners.

551/17 Planning Decisions

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

Approved recomm ⁿ .		BTC response	Officer
16/03302/APP	Land rear 13 High St. Care Home etc	Oppose&Attend	Approve
17/02720/APP	131 Needlepin Way Side & rear conservatory (retrosp.)	No Objections	-
17/03241/APP	Land.adj.Little Oaks Install rooflights on garage	No Objections	-
17/03280/ALB	19 High Street New WC/utility room, repl. windows	No Objections	-
17/03369/APP	1 Wharf Hill Terrace Single storey rear extension	No Objections	-
17/03388/APP	22 Lenborough Rd. Garden Building	No Objections	-
17/03505/ALB	58 Nelson Street Repl.door and window at rear	No Objections	-
17/03766/APP	7 Highlands Road Single storey rear extension	No Objections	-

Refused

17/03167/APP	Greenways, Stowe Ave. Ext'n of fence height (retrosp.)	Oppose	
17/03530/ALB	30 High Street Replace two rear bedroom windows (subj.HBO)	NoObjections	

Not Consulted on:

Approved

17/03325/ACL	24 Moorhen Way S/st. rear extn,conv. part garage	No objections	
17/04160/ATC	Cornwall Place Fell one false acacia (diseased)	No objections	

552.1/17 A Notice of Appeal against refusal of permission was received on 2nd November for

(16/03784/APP) The Villas, Stratford Road, MK18 1NY

Infill development between existing dwellings and above existing parking to provide new one bed apartment

Any additional comments to be sent to the Inspectorate before **6th December 2017**

The application was Refused 24/3/17, and succeeded by the almost identical 17/01968/APP, also Refused, on 19/7/17. The appeal application is dated 21/9/17, so 3 days before the six months allowed expired.

At the 28th November 2016 meeting, Members decided to OPPOSE & ATTEND:

“Members felt that outstanding matters from previous applications should be enforced before a decision was made on this application, for example that the decorative panels on the bay window of №.3 The Villas were still shown in the drawings as matching those on №.1 & №.2 whereas it was actually a white PVC lapped panel, incongruous in the context, and that some fencing and garden maintenance deficiencies were affecting neighbouring boundaries. This is a building on one of the principal entrances to the town, and its design integrity should have been maintained.

This application was clearly premeditated when the double garage was applied for; the doorway in the street elevation appeared only a month after approval, and was not included in the application drawings (which showed shrubbery screening a blank wall). The garage itself was never constructed, apart from this rear wall, and the area has become a dumping area for rubbish, so Members have never discovered whether it was usable or, indeed, possible to manoeuvre into it via the remaining space; the 5 cars that park there currently park to the side of the space rather than the bottom as indicated on drawings. This proposal could lead to another two cars requiring parking spaces, and one ‘garage’ space has been reduced in area in order to accommodate the stairs and cycle parking. This is likely to lead to some vehicles being parked elsewhere to the detriment of other residents’ amenity and road safety. The argument that this is a town centre site, with consequent reduction in parking provision permitted, was rejected as it outside the boundary set in the Neighbourhood Plan.

Members could not see the point of a ‘feature bay window’ on the rear of the maisonette, as the only bay windows on The Villas are on the street elevation. A window at first floor level over a kitchen sink will allow residents to overlook the houses behind, and it is not clear what finish is intended; possibly more white PVC to match the dormer inserted into №.3?

The statement that ‘the proposal will not affect daylight/sunlight to any neighbouring properties’ cannot be correct as there are three side windows in №.4 and one in №. 3, though without a drawing showing the outline of the roof on these two walls, it is impossible to tell whether all of these will be affected.

The bin bay in the arch is not adequate for the existing dwellings, let alone another.

Members reiterated their previous concerns about overdevelopment of this plot and the effect on a floodable area of extending the impermeable cover and voiced objections to this planning creep.

The Committee voted unanimously to oppose the application on the grounds of overdevelopment of the plot, loss of amenity for neighbours, inadequate parking and effect on stormwater drainage.”

Minor Amendments were submitted to which Members responded:

“Members reiterated their previous response, and asked for clarification about the treatment of the side windows of Nos 3 & 4 The Villas, one of which served a bathroom”.

Attendance at DMC was not required as AVDC concurred and it was refused on 24/3/17.

Subsequent research showed that the three windows in the side of No 4 are to a cloakroom, a bathroom, and an ensuite bathroom respectively, and that in the side of No 3, though a bedroom is shown on the plans, does not appear on the drawing and it is obscure-glazed so may also be a bathroom.

Members noted.

552.2/17 A Notice of Appeal against refusal of permission was received on 10th November for

(16/00847/APP) West End Farm, Brackley Road
Demolition of existing buildings and erection of 75 extra care units, ancillary community facilities, including ancillary guest room, parking landscaping and associated works

Any additional comments to be sent to the Inspectorate before **14th December 2017**
At the 11th April 2016 Interim Council meeting, Members voted 11: 2, 2 abstaining, to OPPOSE & ATTEND:

“Members discussed the proposal, agreeing that a demand for such accommodation exists, but expressing concern that the site was not in the Neighbourhood Plan for development and that it was a good way from the town centre. Allowing development of such unassigned sites would provide leverage for other developers wishing to build on undesignated areas. The developers had not participated in the “call for sites”, and the site had been rejected for inclusion in the Neighbourhood Plan because of the dangerous bend and its being outside the settlement envelope.

It was pointed out that merely providing a connecting pathway from the corner of the site to the Cemetery frontage was not a solution as local residents used this area for car parking, leaving inadequate width for mobility scooters or cycles, and the access was on a difficult section of road. They regretted the lack of detailed landscaping plans, including retained trees. Concern was expressed about the facilities to be available for public use, and whether they would actually be built; these were all integrated into the various blocks, so the spaces would be allocated and few were large enough to be turned into additional flats.”

A radical change was effected and Amended Plans were considered on 16th January 2017:

“Members objected, as before, to this proposal which was not part of the scheduled development in the Neighbourhood Plan.

They also felt that this should have been a new application described as ‘a retirement complex comprising 72 self-contained flats, guest unit and communal facilities’ rather than amended plans which bore no relation to the original bar the site boundary and existing vegetation. There was no evidence of provision for personal or nursing care staff, and if care was to be provided by individually hired personnel, then the vehicle movements

would amount to several per day for each unit; the development was a considerable distance from the town centre and without pedestrian links or a bus service, so those residents who were able would be using cars or taxis to access shops and services, both sources of traffic increasing the pressure on the already busy and narrow West Street limb of the Town Hall junction. As this number of flats was well over the threshold Members asked about Affordable Housing provision.

A lighting plot caused concern, as it showed down-lighters at approximately 5m intervals ringing every block, without indication of whether these would be permanently on during the hours of darkness or the amount of light each would emit, and it was noted that the Landscape Impact of the proposed lighting was stated to be 'minimal' without detailing the proposed scheme. Members felt that this amount of lighting on every elevation of the development would impact on the view from all directions, including the important Stowe side."

And to an Extraordinary meeting on 27th March 2017:

"Members discussed the new plans at an Extraordinary Meeting called for the purpose on 27th March 2017 and remain opposed to the proposal as not compliant with the Buckingham Neighbourhood Plan (outside the settlement boundary)."

The application was considered at SDMC on 18th May 2017 and Refused. The principal reasons were:

1. The proposed development constitutes a form of housing development that would provide residential accommodation for individual households. A significant element of the development site lies beyond the Buckingham settlement boundary identified under policy HP1 of the adopted Buckingham Neighbourhood Development Plan.
2. The proposal fails to provide an element of affordable provision and thereby conflicts with policy HP5 of the adopted Buckingham Neighbourhood Development Plan which requires that all proposals for new housing on sites of 1hectare or over (or 25 dwellings or more) should provide affordable housing at a minimum rate of 35%.

Noted.

553/17 Development Management Committee

553.1/17 Strategic Development Management (1st November 2017) *No Buckingham applications*

(Friday 24th November 2017) *No Buckingham applications*

553.2/17 Development Management (2nd November 2017) *Cancelled*

(Wednesday 22nd November 2017) *No Buckingham applications*

553.3/17 To receive the Workload and Performance Quarterly Review for July-September 2017 submitted to the 22nd November DMC meeting (tables and statistics only; the appendices are summarised. The full report can be accessed via <http://democracy.aylesburyvaledc.gov.uk/documents/s8200/Report%20to%20DMC%20performance%20Q2%202017.pdf>)

Members noted the report and AGREED for the Planning Clerk to investigate a number of appeals that appeared to be absent from the report.

ACTION PLANNING CLERK

554/17 Enforcement

554.1/17 To receive the October update via Cllr. Stuchbury

Members **AGREED** to a news release on Members' disappointment at no action having been taken over the removal of trees from Wagland Gardens.

554.2/17 To report any new breaches

Members reported issues of fly tipping outside of the houses opposite Mary McMannus Drive and the dentist surgery on The Stratford Road.

Members **AGREED** for The Planning Clerk to investigate permissions for the Leeders sign advertising the Bourton Meadow Christmas Fair on the side of the A413. **ACTION PLANNING CLERK**

Cllr. Strain-Clark entered the Chamber during the next agenda item.

555/17 Transport

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

Members reported the following issues for investigation by The Planning Clerk:

Moreton Road – Redundant advisory signs for a new crossing

Community Centre – Redundant parking restriction signs above double yellow lines.

Bourton Road mini roundabout – Non-permitted signs for The Larder Cafe

556/17 Access

To report any access-related issues.

Community Transport Meeting – Cllr. Strain-Clark spoke to Members on section 106 contributions from the Tingewick Triangle development into public transport.

Pavements – Members **AGREED** for The Planning Clerk to investigate how TfB assesses 'urgent' pavement as it should recognise the needs of all members of the community and not just those that are sure footed with no sight problems.

ACTION PLANNING CLERK

557/17 Correspondence

To receive for information an appeal from Civic Voice.

Noted.

558/17 Executive Summary on VALP

To receive an Executive Summary on the Town Council's response to the draft VALP and agree to provide/share with the North Bucks Parishes Consortium for inclusion in their collective response.

Members **AGREED** to update section 3.1 to include Cherwell Council.

ACTION PLANNING CLERK

Proposed by Cllr. Harvey, seconded by Cllr. Mahi and unanimously **AGREED** for the Committee Chair and Vice-Chair to present the report to the North Bucks Parishes Consortium.

Proposed by Cllr. Harvey, seconded by Cllr. Mahi and **RECOMMENDED** to Full Council to consider organising a joint meeting on The National Infrastructure Project with The Buckingham Society.

559/17 News releases

Members **AGREED** to a news release on Members' disappointment at no action having been taken over the removal of trees from Wagland Gardens.

560/17 Chairman's items for information

Cllr. Cole reminded Members of the official opening for Shopmobility at 9.30am on Tuesday 28h November 2017.

561/17 **Date of the next meeting:** Monday 18th December 2017 following the Interim Council meeting.

Meeting closed at 21.08pm.

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