

Minutes of the **PLANNING COMMITTEE** meeting held on Monday 23<sup>rd</sup> July 2018 at 8.10pm following the Interim Council meeting in the Council Chamber, Town Council Offices, Cornwalls Meadow, Buckingham

**Present:** Cllr. M. Cole (Chairman)  
 Cllr. J. Harvey Town Mayor  
 Cllr. P. Hiron (Vice Chairman)  
 Cllr. D. Isham  
 Cllr. Mrs. L. O'Donoghue  
 Cllr. R. Stuchbury

**Also present:** Mrs. C. Cumming (co-opted member)

Cllr. Mrs. C. Strain-Clark  
 Cllr. W. Whyte (AVDC & BCC)

**Invited guests:** Mr. R. Dickson Harcourt (Buckingham) Ltd.  
 Mr. G. Vasdekys Salisbury Jones Planning

**For the Town Clerk:** Mrs. K. McElligott

*In accordance with Standing Order 3.f the Planning Committee meeting was preceded by a public session.*

## **PUBLIC SESSION**

Mr. J. Richardson of Salisbury Cottages had comments on 18/01670/ADP (University: Hartridge's site) and had circulated a sketch and site plan as illustration. The placing of his house was incorrect – there was no gap between the house and the boundary. Walkers on the path as drawn would be able to see into his and his neighbour's house; at present there was scrub protecting their privacy. Furthermore the proposed attenuation tank overlies the RPA of the mature oak tree, which would affect the health and stability of the tree, and therefore his house. He advocated moving the pathway and tank further into the University's land and retention of the scrub planting.

### **230/18 Apologies for absence**

Apologies were received and accepted from Cllr. A. Mahi.

### **231/18 Declarations of interest**

There were none at this point (see Min 233).

### **232/18 Minutes**

The minutes of the Planning Committee Meeting held on Monday 2<sup>nd</sup> July 2018 to be put before the Full Council meeting to be held on 13<sup>th</sup> August 2018 were received and accepted. There were no matters arising.

Cllr. Harvey declared an interest in the following item as a Trustee (ex-officio) and Cllr. Hiron as Deputy Chairman of the Buckingham General Charities Board of Trustees for the neighbouring Almshouses.

### **233/18 Presentation - proposal for the Home Appliances building, The Old Telephone Exchange, Market Hill.**

Mr. Vasdekys distributed drawings of the proposal and a statement prepared for pre-application discussions at AVDC.

He went briefly through the history of the site, noting that the proposal from Dominos had been turned down on the grounds of access and turning space, and the reduced visibility for vehicles emerging beside Clays.

The proposal was to demolish the existing building and replace it with a two- and three-storey building containing 9 flats (5 x 2-bed and 4 x 1-bed). Pre-application discussions with AVDC found them non-committal, and of course the Highway concerns remained, though the flats were to be offered without car parking so traffic would be restricted to deliveries, etc.

The proposal would impact on BNDP Policies EE2 and EE3<sup>1</sup> which allow residential development over ground-floor retail use. BT & Royal Mail had been contacted with a view to a comprehensive development of the neighbouring sites, but they expressed no interest. It was debatable whether a retail portion of the development was viable, given the set back from the main street, and the traffic access for customers and deliveries, so this aspect had not been pursued.

The current electrical business was not using the 7 parking places assigned to it, so the space was used by the Royal Mail. Their own highways consultant was confident that a safe shared surface pedestrian access could be attained through the Royal Mail's yard. He referenced Markham's Court, Brewery House and Paynes. Court as existing viable and safe accesses, though without the same extent of parking to negotiate.

Members wondered why the owners of Clays had not been approached to discuss access from Cornwalls Meadow car park at the rear of the site via the yard behind the shops, pointing out that Cornwalls Meadow was free of charge at night, and quick access to parking would be a selling point. Deliveries of building materials and plant also had to be considered vis-à-vis the inadequate access by Clay's corner and Royal Mail's gate - these could also be better made from this direction. Agreement with the Royal Mail over 24-hour access via the locked gate had yet to be obtained.

Mr. Vasdekys pointed out that a Construction Management Plan would have to be supplied, which would include the hours of working, to satisfy the usual conditions of approval.

The guests had missed Mr. Grimsdale's powerful advocacy of retaining and possibly replicating some of the original architectural features of the complex (including the Post Office) which was delivered before the preceding meeting, so the Mayor outlined the points he had made. Mr. Vasdekys said that the Conservation Area officer had offered advice at the pre-application discussions, and had found the contemporary design appropriate.

It was also pointed out that a great many town centre buildings had developed flats in their upper storeys – it might be considered there were too many already. The town centre needed more retail properties to invigorate it.

The visitors were thanked for coming, and assured the Committee they would look into access from the rear of the site.

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<sup>1</sup> **EE2 – Allocation of land for retail, office and mixed development**

Proposals will be supported for new mixed used developments at the locations shown in figures 9.3, 9.4 & 9.5. Office usage on upper floors, with residential development permitted on upper floor levels where the primary ground floor frontage is A1, A2, A3, A4 or A5 will be supported. This policy would only be applicable should the sites become available.

**EE3 – Development of the town centre**

Applications will be supported for new town centre uses (A1, A2, A3, A4, A5, B1(a), C1, D1 & D2) within Buckingham town centre, which is defined in figure 9.6, subject to EE5.

*Cllrs. Strain-Clark and Isham left the meeting, with the guests and Mr. Grimsdale.*

## **234/18 Vale of Aylesbury Plan**

To receive verbal reports on the Inspector's Examination of VALP as follows:

234.1 July 10<sup>th</sup>: Cllr. Cole (Neighbourhood Plans) the following points were made/ arose

- there was a need for greater clarity on how NDPs and Local Plans would fit into the Local Development Framework after adoption (noted);
- it was not justified for employment policy E2 to override made NPs, when local knowledge and experience was preferable. (AVDC to amend that clause);
- a number about primary and secondary retail frontages, and also that NPs should be allowed their own design policies. (AVDC conceded the point);
- VALP should not override parking policies in made NPs.
- Affordable Housing: the inspector asked Ms Ornsby (AVDC's QC) to clarify AVDC's reason for setting a lower minimum (25%) than made NPs such as Buckingham and Winslow. She said it was because HEDNA showed that there was no proven need for a higher figure than that, but in any case 25% was only a minimum. The Inspector said that he wanted further evidence from Ms Ornsby before continuing the Affordable Housing submissions , and ended the session for the day at 17.30.

As I was about to speak, I asked as a point of order that I be permitted to put our case when he revisited Affordable Housing on Friday, to which he agreed.

I was unable to make Friday, and Cllr Roy van der Poll kindly agreed to table my submission that the background CBHEDNA figures showed a massive gap in AH, and that all our surrounding district councils had a minimum of 35% AH content<sup>2</sup>. Unfortunately, although Roy was given permission to present my submission, the Inspector ran out of time and he was not heard. My submission has, however, been made in writing to the Progress Officer and will (hopefully) be considered in due course.

234.2 July 17<sup>th</sup> & 18<sup>th</sup>: Cllr. Hirons (Buckingham allocated sites & Salden Chase)

Cllr. Hirons had also attended a further session on behalf of the NBPPC.

AVDC had agreed to take unmet need from Chiltern, Wycombe and Luton as they had pleaded they had no spare land, were replete with AONBs and so forth. The current infrastructure would not support this level of commuting out.

The Inspector had asked questions elaborating the statement and produced a sheet of key issues; Ms. Ornsby, QC for AVDC had provided answers but these were not to his satisfaction and AVDC were told "to go away and re-write it". He felt that the problem areas had been identified and objectors had been listened to.

234.3 July 20<sup>th</sup>: Cllr. Harvey (Transport).

The QC for developers LaSalle dismantled the Transport section, concluding it was not fit for purpose, being more driven by the need for money to solve existing problems than to lay down strategic infrastructure which would just add to the existing problems. The Aylesbury NE Relief Road was to be funded from the E-W Expressway. The Inspector considered the Plan may be unsound on the basis of the Transport section alone, having significant challenges in the infrastructure

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<sup>2</sup> South Oxfordshire 40%, Cherwell 35%, MK 30%, South Northants 40-50% and Daventry 40%, many of them on developments of 5 or more dwellings.

segment. AVDC said they could do further amendments, but the QCs objected, saying that with all the amendments promised over the fortnight, the Plan was not as consulted on, so all the proposed changes would make it unsound. He also reported that the site at Walnut Drive had been restored to the list of available sites.

*Cllr. Whyte left the meeting.*

Cllr. Hiron added that a Councillor from Maids Moreton had made a good case for Maids Moreton remaining separate and distinct from Buckingham.

All three Councillors were thanked for attending; some of the sessions had run well over the allocated time.

Cllr. Cole noted the change in Cabinet Members made by the new Leader of AVDC; Cllr. Paternoster's brief is now Strategic Planning and Infrastructure, and Cllr. Peter Strachan has been appointed to Planning and Enforcement.

Members agreed to invite Cllr. Strachan to a Committee meeting.

**ACTION PLANNING CLERK**

### **235/18 Action Reports**

235.1 To receive action reports as per the attached list.

Cllr. O'Donoghue would search out the details of the AVDC website malfunction.

**ACTION CLLR.O'DONOGHUE**

235.2 (177.1.2; Care Home call-in) to receive the response from the Secretary of State. Montpelier had also been contacted, but declined to pursue a Judicial Review.

Proposed by Cllr. O'Donoghue, seconded by Cllr. Stuchbury, and **AGREED** unanimously to obtain an opinion from Junior Counsel (est. fee £150) on whether BTC should pursue the matter itself.

**ACTION INTERIM TOWN CLERK**

### **236/18 Planning Applications**

For Member's information the next scheduled Development Management Committee meetings are 2<sup>nd</sup> & 23<sup>rd</sup> August 2018, with SDMC meetings on 1<sup>st</sup> & 22<sup>nd</sup> August 2018.

To consider planning applications received from AVDC and other applications.

*By agreement, this item was taken first, for the benefit of the member of the public present*

#### **ADDITIONAL PLANS**

**18/01670/ADP**

**OPPOSE & ATTEND**

University of Buckingham, Tingewick Road

Approval of Reserved Matters pursuant to outline permission Phase 1 Reserved Matter application for Teaching Accommodation with associated car parking and landscaping

*Additional Plans: Tree Protection Plan; Tree Retention Plan; Tree Works Schedule; Tree Schedule June 2018*

*Members were pleased that adjustments had been made to the Tingewick Road access to save the walnut tree, but felt that other adjustments should be made to the path at the south of the site leading to Bath Lane. It should be moved further into the University's land and the existing planting along this boundary and the Bath Lane boundary retained to preserve the amenity and privacy of the adjacent residents. As many trees as possible should be retained.*

Members noted that the SuDS officer was not recommending discharge of Condition 12; amenity value and biodiversity were not supported, and the proposed attenuation tank in the southwest corner was lying across the RPA of the oak tree which would have an effect on the long-term health and stability of the tree.

To reconsider the following application in light of neighbour comments, and hopefully, by the time of the meeting, the requested information

**18/01883/APP**

**OPPOSE & ATTEND**

Land adjacent to 51-53 Deerfield Close, MK18 7ET [actually 51-53 Badgers Way]  
2No 1 bed flats

Members had responded at the last meeting:

**DEFERRED PENDING CORRECT INFORMATION & SITE NOTICE**

Members noted that the site was between 51-53 Badgers Way and 1 Deerfield Close, and that no site notices had yet been posted at any of the three possible locations. The history of the actual site was not attached to the application file, which would have shown that a previous application for a two storey house (06/00543/APP) had been refused. It was very difficult to tell from the drawings whether a parked car would overhang the pavement, and the outline marked 'GARAGE TO No1' on drawing DC1305/2 was unexplained, as no garage appeared in the other drawings. The amenity space was inadequate, contrary to BNP policy DHE6. Given the actual site was at the entrance to a street housing some 60 dwellings, and not in a cul-de-sac, a revised comment from Mr. Newton was sought, especially if it turned out that the parking spaces were not wholly accommodated within the curtilage.

[Clerk's note: the reasons for refusing the 2006 application were:

1. Cramped form of development detrimental to the appearance of the locality.
2. Adverse effect on neighbouring properties.
3. Unsatisfactory parking arrangements.]

It was agreed that the neighbouring properties would be advised of the proposal, Cllr. Stuchbury volunteering to deliver the letters.

**ACTION CLLR STUCHBURY**

Thanks were expressed to Cllr. Stuchbury for distributing the letters, which had resulted in several objection comments from neighbours. The site notice had been posted earlier that day, but with the incorrect address on it.

Members decided to oppose the application as back-garden development of 51-53 Badgers Way, and lack of parking for both these flats and the new.

The information requested at the previous meeting was still awaited.

Given that the original application form was incorrect, and the subsequent 'correction' of the address was also wrong, including that on the site notice, a correct re-application would be of benefit, if only to future seekers of information.

The following two applications were considered together:

**18/02205/APP & 18/02206/ALB**

**NO OBJECTIONS**

6 Bourton Road

Raising the link roof to match the existing extension

This is a retrospective application to regularise the raising of the link roof 17cm to the level of the extension roof, for convenience of construction.

It was noted that the link was not normally visible from the public domain and the change in height very small.

**18/02239/APP**

**OPPOSE & ATTEND**

6 Stowe Avenue

First floor side and rear extension

Though the first floor extension is slightly narrower than in the previous (withdrawn) application, the parking remains a concern; there is no space to park more than one car, the provision of the guideline three spaces (for the acknowledged possibility of the use of the study as a 4<sup>th</sup> bedroom) within the curtilage is unfeasible.

**18/02244/APP**

**NO OBJECTIONS**

6 Kestrel Way

Two storey rear/side extension

*Members expressed concern that the proposal might lead to use as a HiMO.*

**Not for consultation**

**18/02242/ACL**

**NO OBJECTIONS**

23 Moreton Drive

Application for a Lawful Development Certificate for a proposed Loft Conversion

*Members had no objections to the proposal per se, but observed that there appeared to be no longer a doorway into the front bedroom and consequently no access to the new stairway.*

**18/02414/ATC**

**NO OBJECTIONS**

15 Moreton Road

Fell conifer tree

**18/02432/ATP**

**NO OBJECTIONS**

Land adjacent to Page Hill Avenue [*Maid's Moreton Avenue*]

1. Sgl/138 (133516) Ash (*Fraxinus excelsior*) Sectional Felling due to poor form and encroachment on to adjacent property.
2. Sgl/214 (061628) Maple (*Sycamore*) (*Acer pseudoplatanus*) Sectional Felling due to very poor form and heavily weighted over private gardens.
3. Sgl/215 (061632) Beech (*Fagus sylvatica*) CB30%2 Crown balance by 30% (B) Tip reduce crown over gardens by 1-2m 1 tree and up to 3m on the lower parts of the crown (After other works) back to suitable growing points. DW2 Deadwood Removal (B) Remove all Dead wood and stubs. 1 tree SLR2 Selected Limb Removal (B) 1. Remove the two first major limbs 3 limbs over the shed above the dead branch and first small diameter branch. 2. Remove next significant limb up (3m below tear out stub) over rear of No.4 Naseby Court back to growing point 2m from stem. Works due to loss of large amount of crown due to recent suspected Summer Branch Drop which damaged property.
4. Sgl/216 (061636) Chestnut (*Aesculus hippocastanum*) Selected Limb Removal (D) Reduce lowest significant limb over garden fence back to suitable growing point behind fence. Over-extending limb with poor form.

**18/02459/ATP NO RESPONSE AGREED DUE TO LACK OF DOCUMENTATION**

Land at Waglands Garden

1. T1 Yew - deadwood (consent not required).
2. T20 Yew (original shown as Portugese Laurel) - fell. The tree is largely dead and unsightly. Replace with 1 standard sized ash leaved maple (*Acer*).
3. Limetrees (T14, T16 & T19) Crownlift to a height of 4m. Remove ivy from stems.
4. Limetrees (T23, T25, T36 & T40) Crown lift to a height of 4m and to prune this outer apron and the crown on the south side (over the footpath and adjacent gardens) to a height of 5m. Reason for the above - to tidy the tree, reduce nuisance to neighbours and footpath user and to allow light under the canopies.
5. T41 - Beech - prune back branches growing towards the building to provide a 3m clearance from the roof, gutters and walls, pruning back to suitable growth points.

Members noted there were no documents or even a relevant map on the website; that the previous application (17/03432/ATP, September 2017) had not been decided yet, nor the tree conditions of the main application (16/01413/APP) discharged.

**18/02483/ATP**

**NO OBJECTIONS**

The Oaks, 7 Manor Gardens

1. T149 Lime Crown Spread : 12m /?Height : 30m / DBH : 1.25m Located at the bottom of the rear garden Work required : 6m Crown Reduction
2. T143 Oak Crown spread : 9m / Height : 24m / DBH : 900mm Located nr. Driveway Work required : 3m crown reduction
3. T141 Lime Crown spread : 7m / Height : 25m / DBH : 800MM Located nr. Driveway entrance Work required : 6m Crown reduction

**237/18**

**Planning Decisions**

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

**Approved**

		<b>BTC response</b>	<b>Officer recomm<sup>n</sup></b>
18/00328/APP 1-2 Market Hill	8 flats, new shopfront, roof extn.	Deferred pending add <sup>l</sup> info.	
18/00977/APP Manor Fm, Bourton Rd.	Retention of farm shop & café	No objections	
18/01020/APP 4 Tyrell Close	s/st rear extn & raising of ridge	No objections	
18/01409/APP 24 Kingfisher Road	Two storey rear extension	No objections	
18/01754/ALB Summerhouse Hill	Amended treatment of boundary wall	No objections subj. HBO	

**Refused**

18/00484/APP Old Latin House	Carport, stores & garden workshop	Oppose & attend
18/00928/APP Land adj. Little Oaks	Conv. det. garage to residential	Oppose & attend

**Not Consulted on:**

**Approved**

18/01835/ATP Land adj. 3 Orchard Dene	Fell Birch/ replant new species	No objections
18/01836/ATP Land @ Fishers Field	Maintenance work	No Objections
18/02024/ATC Land in Verney Cl.	Trim trees overhanging parking	} No objections – elder } TPO conifer

**238/18**

**Development Management Committee**

- 238.1 Strategic Development Management (11<sup>th</sup> July 2018) *Cancelled*
- 238.2 Development Management (12<sup>th</sup> July 2018) *No Buckingham applications*

**239/18**

**Enforcement**

- 239.1 To receive the June update via Cllr. Stuchbury and Mills.  
Noted.
- 239.2 To report any new breaches.  
None.

**240/18**

**Streetnaming – Tingewick Triangle (179/18)**

240.1 To receive an update on the additional 4 names requested.

The additional names chosen from the agreed list were:

- Wulfstan
- Padda
- Osberg
- Frideswide

**ACTION PLANNING CLERK**

240.2 No confirmation of the name for the land by Verdun had been received.

**241/18 (186.4/17) Secured by Design**

Members requested details of the scheme for information. The information leaflet is attached, with the list of publications available to download. Members are asked to decide if having any, or all, of these available in the office is useful to them. The Building Regulations Document Q “Security – Dwellings” (2015 edition) is already on file and can be accessed via the link

[https://www.planningportal.co.uk/info/200135/approved\\_documents/83/part\\_q\\_-\\_security](https://www.planningportal.co.uk/info/200135/approved_documents/83/part_q_-_security)

Noted.

**242/18 Electric vehicle charging points**

To receive for information the slides of the presentation made by BCC in April, and suggest suitable sites in Buckingham where vehicle charging points could be installed. The site must be on highway land with a street lamp at the kerbside (to avoid trailing wires). There are Government grants that BCC can apply for.

Members discussed the possibilities, but concluded that most of the existing on-street parking areas were used by residents with no parking on their own land, and that there were very few places in town with kerbside lamp posts; the town centre is mainly bracket lamps, and lamps further out are positioned at the rear of the footway. Furthermore, much of the town centre parking is time-restricted, which supports rapid turnover use, and having a car parked there for a time blocks that space which might be needed for – say – someone who just wants to pick up a prescription or the dry-cleaning.

Members suggested that the most appropriate places were the car parks, specifically those at Western Avenue and Stratford Fields, and to liaise with the District Council over the matter.

**ACTION PLANNING CLERK**

**243/18 Matters to report**

Members to report any damaged, superfluous and redundant signage in the town, access issues or any other urgent matter.

None.

**244/18 Chairman’s items for information**

None.

**245/18 Date of the next meeting:**

Monday 20<sup>th</sup> August 2018 at 7pm.

Meeting closed at 9.50pm.

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