

Minutes of the **PLANNING COMMITTEE** meeting held on Monday 24th June 2019 following an Interim meeting of Full Council in the Council Chamber, Town Council Offices, Cornwalls Meadow, Buckingham

Present:

| | |
|--------------------------|--------------|
| Cllr. M. Cole | Town Mayor |
| Cllr. J. Harvey | |
| Cllr. P. Hirons | (Vice Chair) |
| Cllr. D. Isham | |
| Cllr. A. Mahi | |
| Cllr. Mrs. L. O'Donoghue | (Chair) |
| Cllr. A. Ralph | |
| Cllr. R. Stuchbury | |

Also present: Mrs. C. Cumming (co-opted member)
Mrs. N. Stockill (Committee Clerk)

For the Town Clerk: Mrs. K. McElligott

128/19 Apologies for Absence

Members received and accepted apologies from Cllr. Try

129/19 Declarations of Interest

There were no declarations of interest.

130/19 Minutes

Members received and **AGREED** the minutes of the Planning Committee Meeting held on Monday 3rd June 2019 to be put before the Full Council meeting to be held on Monday 15th July 2019.

131/19 North Buck Parishes Planning Consortium (min 22.6/19)

Postponed from previous agenda, Minute 44/19

Members discussed and **AGREED** that Cllr. Hirons and a rota of Committee members starting with Cllr. O'Donoghue be the Town Council's representatives on the North Bucks Parishes Planning Consortium. Next meeting on the 3rd July 2019 at Winslow Town Hall.

132/19 Buckingham Neighbourhood Plan/Vale of Aylesbury Plan

Cllr. Cole informed Councillors that the Planning Inspector's Programme Officer has confirmed receipt of the Town Council's submission on Affordable Housing but had indicated that the Inspector would not be able to consider the document for review or comment until he returns to work on the VALP at the end of July 2019.

133/19 Walnut Drive application

Mrs Cumming reported that the Parishes of Foscott and Maids Moreton would be applying for a judicial review and that a submission, following a Barrister's review, has been submitted and accepted by the Programme Officer. The Focus Group have organised two, well attended, public meeting in Maids Moreton Village Hall and fundraising has started towards the legal costs the £1000 was what they have raised already. Cllr. O'Donoghue suggested Crowd Funding as a means of funding

a project by raising small amounts of money from a large number of residents. Mrs Cumming said she would put the suggestion to the Focus Group. Mrs Cumming appealed to Councillors to consider financial assistance from Buckingham Town Council. Members **AGREED** for Mrs Cumming to liaise with Town Clerk and full report to be brought back to the next meeting of Full Council.

ACTION TOWN CLERK/MRS CUMMING

134/19 Action Reports

Members received the latest action reports and queried the following items:

Section 106 (919/18) - The Town Clerk explained AVDC had quoted Verney Road in error, Verney Park was meant.

13 High Street – Members discussed and **AGREED** for the Planning Clerk to pursue the matter pointing out that the District Council had a duty of care to Listed Buildings in its area.

ACTION PLANNING CLERK

135/19 Planning Applications

Members noted the next scheduled Development Management Committee meetings were 4th and 25th July 2019, with SDMC meetings on 3rd and 25th July 2019.

19/02152/AAD

OPPOSE

Beefeater, Costa & Premier Inn, London Road

Mounted and free standing signs

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.

It was felt that the amount of signage for the Costa drive-through was excessive, both on and around the building; the 10m high pole sign in particular was criticised as too tall for the context, and the height restriction arch and other smaller signs did not need lettering on the back, given the one-way traffic flow, nor did the building need signage on its North elevation facing the Beefeater (which has no signage on its facing elevation). The proposal drawings gave an impression of clutter and some amalgamation of the smaller signs was recommended.

Members made no comment on the signs proposed for the Beefeater and Premier Inn.

19/02167/APP

NO OBJECTIONS

8 Newcombe Crescent

Proposed loft conversion and addition of roof lights

19/02225/APP

OPPOSE AND ATTEND

The Royal Latin School

Installation of 500 linear meters of 2m high boundary fencing to the rear playing fields of the school, fencing will be powder coated black and be of a mesh anti climb construction; a new pedestrian gate will be installed where an old gate is currently located to swan pool.

Members found no valid reason for the fence in the documents supplied and criticised both its appearance and the divisive effect on the town's senior school communities. The fence was merely dividing the Royal Latin's field from that of The

Buckingham School's and the considerable cost could well be used for the new sports campus.

19/02247/APP

OPPOSE

12 Pillow Way

Single storey in-fill rear extension and part garage conversion to living space

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 noted that a 3-bedroomed house required 2 parking spaces, and that the loss of the garage left one driveway parking space. The house stands flush to the street with no front garden and no extra land to create parking space; therefore vehicles will add to the ongoing on-street parking issues this estate suffers from, to the detriment of the neighbours' amenity.

Amended Plans

18/02959/APP

NO CHANGE (OPPOSE AND ATTEND)

Land adjacent to Tesco Store, London Road

Development of a drive-thru restaurant (Class A3/A5) with associated car parking and landscaping works

New documents:

- *(14/5/19) Response from AVDC Tree Officer (Objection)*
- *(27/5/19) Reply to consultee comments & 15th April BTC meeting*
- *(May 2019) Revised Transport Technical Note – response to BCC comment*
- *Revised Block Plan* } both showing new position of Click & Collect booth
- *Revised Layout Plan* }
- *Revised Landscape Plan inc. 1.8m closeboard fence along N & E perimeters*
- *The 2 disabled parking spaces have been moved slightly up the rank to allow a hatched area both sides of each vehicle, and the cycle parking is now covered.*

Members welcomed the response on the desire line path, and other accommodations following the April meeting with the applicants, but regretted the loss of trees, which they felt could have been reduced by a realignment of the roadways.

Additional Plans

18/04210/APP

Bourton Mill Health & Leisure Club, Bourton Road

Single storey extension to existing leisure centre

Additional Plans: Proposed Parking Layout with survey levels (previous versions were small insets on drawings)

Members were informed that the decision had been made the previous Friday.

Not for consultation, for information only:

19/02061/ACL

26 Shetland

Application for a Lawful Development Certificate for a proposed loft conversion with dormer extension to rear roofslope and rooflights to front roofslope

136/19 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 |
|--------------------------------------|---------------------------------------|------------------------|
| 18/02722/APP rear 10 Market Sq. | Var.Cond.17/04725: flats & windows | No objections |
| 18/03475/APP land adj. 2 Market Hill | Ch/use highway to seating area | Opp.& Attend Approve |
| 18/03773/APP } 46 Summerhouse Hill | Proposed reconstruction historic wall | No objections subj.HBO |
| 18/03774/ALB } [the summer house] | | |
| 19/00735/APP 61 Moreton Road | Demol.bungalow, erect 4-bed house | Opp.& Attend Approve |

Not in our Parish (Biddlesden)

19/00532/ADP Silverstone Hotel Reserved matters, landscaping etc. Oppose & attend
Cllr. Cole updated Members on the Planning Officer's comments relating to BTC's objections with the scheme. The report doesn't mention that Silverstone is one of AVDC's only two employment areas which was central to the Town Council's objections with the application. Members **AGREED** for the Planning Clerk to write to Andrew Small and then issue a press release.

ACTION PLANNING CLERK

Refused

18/03597/APP 9 Portfield Way Single & 2st. side & rear extensions No objections*
* changed from Oppose & Attend 13/5/19 on receipt of acceptable amended plans

Not Consulted on:

Approved

19/01330/ATC Fleece Yd/Forge Cott. Remove tree from boundary wall No objections

137/19 Development Management Committee

137.1/19 Strategic Development Management (12th June 2019)

No Buckingham applications.

137.2/19 Development Management (13th June 2019); to receive verbal reports from

137.2.1/19 Cllr O'Donoghue (18/03475/APP: Coffee#1 pavement tables) Cllr. O'Donoghue outlined her presentation (attached in Appendix A of the minutes) to AVDC concerning the lack of adequate space on the pavement to provide safe access for pedestrians, buggies, scooters and wheelchair users. Members **AGREED** a press release on the Committee's disappointment and to write to Cllr. Whyte asking to object to the pavement licence quoting all of the committee's previous objections.

ACTION PLANNING CLERK

137.2.2/19 Cllr. Hirons (19/00735/APP: 61 Moreton Road) Cllr. Hirons reported on his representations on the grounds of over development and parking problems.

138/19 Enforcement

138.1/19 No available update

138.2/19 No reported breaches

139/19 S106 Quarterly update

Members received the quarterly update (AVDC only).

Lace Hill Police contribution – Members **AGREED** for the Planning Clerk to suggest the installation of a CCTV camera on the Tesco roundabout.

ACTION PLANNING CLERK

Cllr. Harvey raised concern over the new road marking for the Tingewick Road roundabout, explaining that it would be safer to have a left turn only lane and a combined straight on and right turn. Members **AGREED** for the Planning Clerk to write to Transport for Bucks questioning the use of a right turn only lane.

ACTION PLANNING CLERK

140/19 Matters to report

There were no reports.

141/19 Chairman’s items for information

Cllr. O’Donoghue suggested inviting Cllr. Whyte to the next meeting of the Planning Committee to discuss his working on the Silverstone Development. **AGREED**

Members **AGREED** to arrange an additional Planning Committee meeting and would email the Planning Clerk with their availability.

ACTION ALL COMMITTEE MEMBERS

142/19 Date of the next meeting: Monday 22nd July 2019 at 7pm.

Meeting closed at 9.09pm

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

After the introductions I told the Committee that we wondered why their Officer had used a document called Designing for Walking when the Manual for Streets (MfS) is used nationally.

I pointed Members to Page 68, 6.3.22 in the MfS which says the following;

"There is no maximum width for footways. In lightly used streets (such as those with a purely residential function), the minimum unobstructed width for pedestrians should generally be 2m. Additional width should be considered between the footway and a heavily used carriageway, or adjacent to gathering places, such as schools and shops."

And on Page 68, 6.2.23 it says:

"streets need to have wider footways where people walk in groups, near schools or high pedestrian flow and that this can deteriorate unless sufficient width is provided which may encourage people to step into the carriageway."

I explained to Members that the coffee shop is nestled between other shops and businesses, next to a pedestrian crossing with a sloped kerb and on a busy High Road, not on a residential street, also whole groups of young people walk through town on their way to and from our secondary schools, not to mention many parents with buggies and young children off to primary school who may be forced into the road.

I then pointed the Committee to the DfW document their Officer used on Page 7, 4.2: Footway and Footpath Widths which says;

"Based on the established standard of providing sufficient width for wheelchairs/mobility scooters or double buggies to pass, pedestrians require an absolute minimum obstacle-free width of 1.8m and a desirable minimum width of 2.0m."

I had taken my mobility scooter into the Oculus and explained that my machine is compact as it lives in the boot of my car, but I know many residents in Buckingham who have the much larger scooters double the size of mine and wheelchairs come in a variety of sizes. I asked the Committee what happens to pedestrians if a coffee shop customer and scooter user decides to sit at one of these tables, in order to get their device close to the table they would have to move a chair and windbreaker, or if more than 2 customers want to sit outside, they will inevitably take a chair from another table and move the windbreaker. Then what happens to those in a scooter/wheelchair or someone visually impaired when they have to navigate what's left of the pavement, next to a busy main road. I believe what will be left of the pavement will be dangerous and unacceptable as stated in both the DfW and MfS.

I told Members that I know a gentleman who uses a huge scooter who walks his dog on one side of him and his young daughter walks on the other side, where do they go when the windbreaker, chair and tables get moved?

In the DfW document there are SMART objectives with 'R' being Realistic, I asked the Committee how realistic it would be for pedestrians to have safe passage with any of the above scenarios.

Continuing with the DfW document on Page 7 it states, **"minimum widths will be dictated by Site Specific Criteria, including pedestrian flow and composition, vehicle flow and speed"**, I asked the Committee if any data collection had been done on this site, my question wasn't answered during their discussions, but we know none had been done. Therefore, the Committee were about to discuss and potentially agree to allow furniture to be placed on a well-used pavement leaving under the recommended widths without any evidence to show pedestrians would be safe.

When we left the table, the Officer told Members that **2.0m was the optimum width**, I felt this was a disingenuous statement to make according to both documents.

The Coffee shop's Agent spoke next, Members asked her a few questions including:

"How heavy are the pillars that hold the windbreaker". The agent didn't know the weight of them but replied "they are heavy and not easily moved", which is untrue as they can be picked up or rolled, otherwise how are staff meant to put them out/bring them in each day?

"Can customers be stopped from smoking outside" and "can ashtrays be provided for those who smoke" and "can the tables be designated as No Smoking". The Legal Officer told Members this wasn't within their remit to stop people from smoking.

Cllr. Strachan asked if Highways could retract permissions if the chairs, tables and windbreakers were moved, this was confirmed.

Members then discussed whether pavement markings could be put down so staff and customers can see where the furniture should be placed, I believe this was agreed and will form part of the agreement. The Officer said that if the coffee shop causes issues for pedestrians then it would become an enforcement issue. Cllr. Collins said enforcement wouldn't happen and he agreed that windbreakers would "most likely be moved" which other Cllr's agreed with. The Officer told Councillors that she "**hoped** staff would ask customers to put the chairs, tables and windbreakers back in their correct places". Most of the Councillors seemed to sympathise with the Town Council based on the questions they asked the Agent and their discussions, Cllr. Morgan then said, "there's no Law to stop this application" and Members voted in favour of the application, even some of those who seemed opposed by it. It felt as though we had been completely and utterly ignored and guidance that I evidenced, written by professionals who know what is safe and unsafe for pedestrians and those with disabilities at locations that mirror this coffee shop just dismissed.