

**MINUTES OF THE PLANNING COMMITTEE MEETING**  
**HELD ON MONDAY 24<sup>th</sup> JULY 2006 AT 7.10pm following the Public Session**

**PRESENT:** Councillors P. Collins (Mayor)  
Mrs. P. Desorgher  
H. Lewis  
R. Lehmann  
G. Loftus  
H. Mordue  
Mrs. P. Stevens (Chairman)  
Mrs. C. Strain-Clark  
P. Strain-Clark  
R Stuchbury

Also Attending: Cllr. D. Isham

Guest: Ms. Linda Warmbier, Project Manager, Fremantle Trust

For the Town Clerk Mrs K.W. McElligott

**APOLOGIES FOR ABSENCE**

Apologies for delayed arrival were received and accepted from Councillor H. Lewis.

**4937 DECLARATIONS OF INTEREST**

Cllr. Lehmann declared a personal interest in application 06/01809/APP. Cllr Stuchbury declared a personal interest in agenda item 7.3 as minuted later in the meeting.

**4938 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 19<sup>th</sup> June 2006 ratified on 17<sup>th</sup> July 2006 were received. There were no matters arising.

**4939 PLANNING APPLICATIONS**

The following planning applications were received and discussed. –

**06/01337/APP**

28 Embleton Way

Conversion of garage to form living accommodation

**SUPPORT**

*Cllr. Loftus arrived*

**06/01419/APP**

44 Embleton Way

Erection of conservatory

**SUPPORT**

**06/01427/APP** **SUPPORT**  
31 Embleton Way  
Erection of conservatory

**06/01489/APP** **SUPPORT**  
Ring Road Garage  
Side extension to create storeroom

**06/01547/APP** **SUPPORT**  
22 Moreton Road  
Demolition of existing conservatory and erection of new conservatory

**06/01551/ALB** **OPPOSE**  
1 Market Square, 25/25a & 24 Bridge Street  
Partial removal of chimney stack  
*Members felt that chimneys were an important part of the street scene and voted to oppose on the grounds on the impact on the street scene in the Conservation Area. Members would welcome the views of the Historic Buildings Officer and Conservation Area Officer.*

*The following two applications were considered together:*

**06/01557/ALB & 06/01727/APP** **SUPPORT**  
54 Well Street  
Rear conservatory  
*Support was given subject to the report of the Historic Buildings Officer.*

**06/01612/APP** **SUPPORT**  
47 Embleton Way  
Erection of conservatory

**06/01633/AAD** **OPPOSE**  
4 Market Hill, (currently 'Help the Aged')  
Illuminated fascia sign and box sign  
*Members are in principle opposed to internally illuminated signs in the Conservation Area.*

**06/01651/APP** **SUPPORT**  
26 Meadway  
Single storey rear extension

**06/01675/APP** **SUPPORT**  
Tesco Store, London Road  
Installation of ATM  
*Members asked that the area be adequately lit for security reasons.*

**06/01743/APP** **OPPOSE**  
9 Mare Leys  
Two storey side extension and garage  
*Members voted to oppose on the grounds of overdevelopment of the site and impact on the street scene*

**06/01772/APP**

**SUPPORT**

7 Wharf View

Creation of front sloping roof to garage/porch and brick enclosure of lean to with windows

**06/01776/APP**

**SUPPORT**

11 Lenborough Road

First floor rear extension

*Support was given subject to matching materials being used, particularly the brick colour*

**06/01791/APP**

**OPPOSE**

35 Moreton Road

Erection of 1½ storey triple detached garage with studio above

*Members felt the proposal differed only slightly from the previous, refused, application and opposed on the grounds of effect on the street scene and the Conservation Area.*

**06/01793/APP**

**DEFERRED**

Buckingham Filling Station, Stratford Road

Variation of condition 1 of 05/02335/APP to permit the continuance of the extended operating times 07.30 - 20.30 Monday to Saturday and 09.00 - 19.00 Sundays and Bank Holidays beyond 31<sup>st</sup> August 2006

*Members noted that the only information supplied was a noise level survey from the applicant and would like to see reports from Environmental Health and other relevant entities before making response.*

*Cllr. Lewis arrived during the following discussion*

**06/01809/APP**

**SUPPORT**

Land off Moreton Road

Residential development comprising 200 flats and houses with associated parking and public open space

*Members discussed the plans at some length, taking into account points raised at the preceding Public Session. The Committee Clerk had produced an analysis of the housing types and a summary of the main points of the Transport Assessment and mapped the distribution of affordable housing units; these had been circulated to Members.*

*The Committee felt that the design of the housing was attractive, and reflected well local styles and materials. The distribution of types over the site made for a varied streetscape. The detailed planting plans were also praised.*

*The following points were made:*

- *s106 monies should be set aside to fund a scheme whereby the affordable housing was made available only to local people*
- *this Council has always opposed this site for a major housing development, and would like assurance that the feasibility for expansion to 400 dwellings will be reassessed when the new Local Development Framework is in place, in particular with respect to traffic flows and infrastructure provision*
- *surprise was expressed at the proposal to make Addington Road one-way downhill, but Members noted that further consultation is to take place on this matter*
- *the Clerk's transport assessment comments should be included with the response to the Planning Authority and copied to the Highways Authority for their information*

- *the spring activity on the site keeps the drainage ditch bordering the rear of Bradfield Avenue flowing in normal conditions; wet weather causes flows down the roadways, pressure-lifted draincovers in the Moreton Road and flooding in the field, even though it is at the top of a hill. Concern was expressed that there was thus no spare capacity in the Bradfield Avenue pipes and stormwater sump, and that the detention ponds would not cope with run-off in addition to the spring-feed. Even though the paved areas will be porous, a very considerable covering of the field will not be, and Members felt the connection of the water systems into the existing pipework would lead to problems, particularly for the residents of Bradfield Avenue. Members also queried the ownership of the ditch bordering the Bradfield Avenue properties; it was possible that this belonged to the District Council, and Members wondered whether the Council had considered the likely effects of the disrupted drainage patterns caused by the building.*
- *no community facilities are proposed; as there is no longer a shop in Maids Moreton (though one is shown in the documents) or in Overn Avenue, all residents will have to use the town centre, adding to traffic flows. Members felt a local shop would be of benefit to the estate and the wider area.*
- *Though the recently announced merger of schools at Chackmore and Akeley, Gawcott and Tingewick may leave spare capacity at Buckingham Primary, there is no indication of extension of secondary school capacity, health services, leisure facilities, or better transport facilities so that these can be accessed in other places. Members feel that these amenities are currently overstretched and the additional 600+ residents will cause major problems if no provision is planned.*
- *the traffic assessment takes no note of the use of Western Avenue for 'rat-running' to avoid the junction at the Old Gaol, and the total unsuitability of this road for additional traffic; nor is there any indication of the increase in traffic likely through Maids Moreton village for the same reason, to access the A422 via Mill Lane or via Foscoate. Not all the traffic travelling to/from the site via the northern access will be using the Towcester road.*
- *Members hoped for early consultation on the use of s106 monies and the inclusion of the Town Council as a signatory to the agreement; the timescale for the use of this contribution; and that the site will be considered as an entity and not in individual phases to the detriment of s106 requirements.*

*Cllr. Lewis gave notice of an open meeting to be held at 9.30pm on Wednesday, 2<sup>nd</sup> August 2006, at the Chantry Chapel to discuss the plans.*

#### **4940 PLANNING CONTROL**

The following planning decisions were received from Aylesbury Vale District Council;

##### **APPROVED**

05/00311/APP	Saleroom, Moreton Rd.	Conversion of saleroom to form 5 residential flats	Support
05/01778/APP	25-26 West Street	Conv. gnd.floor outbuildings+1 <sup>st</sup> fl.offices to 4 flats	Support
06/00752/APP	Greenways, Stowe Ave.	First floor side and rear extension	Oppose
06/00956/APP	5 Naseby Court	Amendment to 05/01823/APP – infill porch	Support
06/00969/APP	Swan Business Park	Construction of Industrial Estate Road	Support
06/00988/APP	Project Street Life	Renewal of 04/00857/APP, alcohol-free bar	Support
06/01049/APP	Land adj. Swan Bus. Pk.	Erection B1, B2 & B8 industrial units +parking etc.	Support

06/01093/APP Esso Stn.,bypass	Installation of ATM	Support
06/01105/APP 44 Westfields	Single storey rear extension	Support
06/01146/APP Lloyds Pharmacy	New shop front and air conditioning condenser	Support
06/01172/APP 1 McKenzie Close	Erection of conservatory	Support
06/01258/AAD Chandos Vauxhall	Erection of 2 illuminated fascia signs	Support
06/01316/ALB Sandon Ho.,20 Moreton Rd.	Replacement of front bay window	Support

### **REFUSED**

06/00259/APP 10 Bourtonville	Erection of garden building for ex Theatre Organ	Support
06/00939/APP 70 Moorhen Way	Two storey front extension	Support

### **WITHDRAWN**

06/01149/ATP 15 Grange Close	Pruning 1 Horse Chestnut
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### **PLANNING APPEAL ALLOWED**

05/01890/APP 40 Highlands Road	Single storey rear and side extension	Support with proviso
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### **REPORTS TO DEVELOPMENT CONTROL**

Reports on the following applications had been received and was available in the office

05/02566/ACD Fishers Field bridge	Removal of footbridge
06/00752/APP Greenways, Stowe Ave.	First floor side and rear extension
06/00939/APP 70 Moorhen Way	Two storey front extension
06/01072/AOP 1 Mallard Drive	Demolish garage and erection of bungalow and garage

### **4941 PLANNING - OTHER MATTERS**

#### 4941.1 (4907) Update on proposals for Tingewick Park from representatives of Commercial Estates Group.

CEG had indicated that they were still in discussions with AVDC and thus not in a position to present updated proposals; they asked if they could be invited to a future meeting of the Committee.

Proposed by Cllr. Lehmann, seconded by Cllr. Collins, that this Committee not invite CEG representatives to address the Committee. Proposal defeated by 5 votes to 4. CEG would be invited to the next stand-alone Planning meeting on September 11<sup>th</sup>.

**ACTION THE CLERK**

*Proposed by Cllr. Stevens, seconded by Cllr. Stuchbury, and AGREED that Standing Orders be suspended to allow Ms. Warmbier to address the meeting.*

#### 4941.2 To receive a presentation from a representative of Housing Solutions re 30/32 (corrected at the meeting to 32/34) Bourton Road

Ms. Warmbier introduced her self as Project Manager for the redevelopment of the two houses which presently provide accommodation for 6 local learning-disabled persons – 6 bedrooms and common facilities. The proposal is that the building be redeveloped to provide six self-contained flats to promote independent living; a small extension to the rear would be necessary and the reaction of neighbours had been positive. The Fremantle Trust runs the home on behalf of BCC in partnership with Housing Solutions; Housing Solutions would do the building work and the residents would become tenants. Ms. Warmbier passed copies of the Fremantle

Trust's Annual Report and Project Care booklets to Members and drawings of the proposal were circulated.

In answer to questions, Ms. Warmbier assured Members that the current residents would stay in Buckingham, as that was their expressed preference. It was hoped that the application could be made to AVDC soon, but temporary accommodation for the residents needed to be found within the community before formal steps could be taken.

The Chairman thanked Ms. Warmbier for attending and looked forward to the formal application.

*Proposed by Cllr. Stevens, seconded by Cllr. Stuchbury, and AGREED that Standing Orders be reinstated.*

4941.3 Planning News from Bulletins 22/06 and 24/06, for information

The following news had been circulated with the agenda:

(22.06) Key sites in the north of the District – Market Hill, Buckingham, and Moreton Road, Buckingham.

(24.06) Government to cut planning restrictions for micro-generation – but not just yet.

The following news from the latest Bulletin was circulated at the meeting:

(25.06) Forthcoming changes to the development control system

4941.4 Countryside Voice (CPRE)

The summer 2006 issue was available from the office.

## **4942 CORRESPONDENCE**

4942.1 (4924; comment re appl<sup>n</sup>: 06/01149) AVDC: Moreton Grange TPOs

The AVDC Tree Officer had sent maps and schedules of the trees subject to Preservation Orders in the Moreton Grange area, as requested.

4942.2 (4927.3) 12 -18 Stratford Road; BCC response

Mr. Dudley had written indicating that he was awaiting a response from the developer.

The developer had consequently replied, re-stating his views that the highway delineation was a matter for the County Council, as there had been – previous to the last re-surfacing – a white line along the edge of the roadway.

Members considered that the Highway Authority could have brought this to AVDC's attention when responding at the time of the application, and had it made a condition of approval; having missed this opportunity BCC could not insist retrospectively that it was a matter for the developer, particularly as it meant installing kerbstones on land he did not own.

*Cllr. Stuchbury declared a personal interest in the following item.*

4942.3 (4927.7) 33 Hare Close fence; further information from the Enforcement Officer

A copy of the response had been circulated with the agenda. If permitted development rights are withdrawn in the original grant of planning permission, then planning permission must be sought - for example for a fence which would otherwise

be of permitted height not requiring permission. On the majority of the Badgers Estate, permitted development rights were not withdrawn at the application stage, and thus fences, etc., can be erected of up to the permitted height without the need to seek planning permission. However, restrictive conditions about open frontages, fences and the like may be part of the house deeds.

Members were concerned that “The enforcement of restrictive conditions is not a matter for this [i.e. Aylesbury Vale] Council ... but would be a private matter between the parties involved and on which private legal advice would need to be sought” and asked how one would know that there were restrictive conditions in the deeds.

It was pointed out that concerned neighbours may have similar clauses in their own deeds, and could obtain copies of deeds and restrictive covenants from the Land Registry.

#### **4943 PRESS RELEASES**

##### Moreton Road Development

Though a member of the press had been present at the meeting, Members felt that a press release would be of use. Reference was made to a news bulletin from BCC (PR644, 14 July 2006) quoting Council leader David Shakespeare “What we need is a long-term solution from Government for funding the many major schemes we will need to put in place over the next 25 years. This is particularly important given that Government is expecting us to provide many thousands of houses in the next 20 years – all of these people will need schools and an effective transport and roads system” and contrasting the provision made for Aylesbury with the lack of provision made for the north of the county.

#### **4944 CHAIRMAN’S ITEMS FOR INFORMATION**

##### 4944.1 (4898.1) Pine Close

AVDC Street Naming Officer had sent advice that the notice of the name had been posted; if no objections were received before 17<sup>th</sup> August, the name would stand.

##### 4944.2 Three Cups

The office had passed on a query about the apparently unauthorised installation of roof lights at the Three Cups.

Enforcement had replied that the roof lights required planning permission and that the landlord was being invited to submit ALB and APP applications to regularise the breach of planning control. An application should be received within 42 days.

##### 4944.3 (4934.4) Mr. Howell’s complaint re 06/00820/APP

Mr. Howell had complained that he had been unable to comment fully on this application because the website cut-off date was nearly two weeks after the DCC meeting at which the decision was made. A letter had been sent to AVDC Legal Dept., copied to Planning.

Mr. Byrne had replied outlining the problems with the website; he could give no date for when these problems would be resolved, as it depended on when the software supplier’s next upgrade was due. Text had been inserted into the Public Access screen to indicate that though the ‘Important Dates’ boxes on the application details page may contain dates for

'neighbour consultations sent' and 'expiry date for neighbour consultations' these should in fact be blank; the dates in them were computer generated and had no validity.  
A response from the Legal Dept. is awaited.

Meeting closed at: 8.25pm

CHAIRMAN ..... DATE .....