

MINUTES OF THE BUCKINGHAM TOWN COUNCIL PLANNING COMMITTEE
MEETING HELD ON MONDAY 9th JULY 2007 AT 7.00pm

PRESENT: Councillors T. Bloomfield
H. Cadd
Mrs. P. Desorgher
P. Hirons
G. Loftus
H. Mordue (Mayor)
M. Smith
Mrs. P. Stevens (Chairman)
R. Stuchbury
M. Try
W. Whyte

Also Attending: Cllr. D. Isham
Cllr. A Mahi

Invited Guests Mr. & Mrs. P. Brazier, Mr. & Mrs. C. Dobbs
Mr. J. Cannell, AVDC Development Control Manager

For the Town Clerk Mrs K.W. McElligott

APOLOGIES FOR ABSENCE

Apologies were received and accepted from Councillor Mrs. G. Collins.

5062 DECLARATIONS OF INTEREST

Cllr. Loftus declared a personal interest in application 07/01676/ATC.

Cllr. Mordue declared a personal interest in applications 07/01602/ACL and 07/01787/APP.

Cllr. Cadd indicated that, as a result of a recent ruling, it would be possible for him ethically to attend meetings of the Planning Committee and contribute to the discussions. He reserved the right to express different views at meetings of the District Council's Development Control Committee.

5063 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 11th June 2007 ratified on 2nd July 2007 were received. There were no matters arising.

*Proposed by Cllr. Stuchbury, seconded by Cllr. Cadd, and **AGREED** to take item 7.1 next.
Proposed by Cllr. Stuchbury, seconded by Cllr. Cadd, and **AGREED** to suspend Standing Orders to allow Mr. & Mrs. Dobbs, Mr. & Mrs. Brazier and Mr. Terry Davey to address the meeting.*

5064 (5061.2) 3 WELL STREET

Mr. Dobbs and Mr. Brazier explained that they had bought No. 3 Well Street from Davey Bros. and were hoping to use the building as a café/bar. Plans were in the early stages, but the intention was to retain the integrity and structure of the building. Discussions had also been held with AVDC Planning and Listed Buildings Officers.

In answer to Members' questions, it was emphasised that the architectural features - notably the front and rear windows - would not be altered. The owners would carry out the work themselves, having had experience elsewhere, according to the LBO's schedule. It had not yet been decided on day/evening opening hours, nor the numbers to be catered for, and it was assumed that clients would use either existing parking or taxis. They would take advice about an archaeological survey. The old petrol pumps and other vintage garage items would remain for interest. There was a large upstairs room which could be used for events.

Mr. Davey gave a brief history of the building's uses; the roof beams were possibly original, and the seating remained from its use as a religious meeting room. He felt that the proposal would benefit the town and make good use of the building.

*Mr. & Mrs. Dobbs, Mr. & Mrs. Brazier and Mr. Davey left the meeting.
Standing Orders were restored.*

5065 ACTION LIST

The Action list had been circulated with the agenda. In addition a response had been received to the letters on signage (5030.1 & 5058.5) and a copy circulated to Members on the night. The Clerk was asked to send reminder letters as per the recommendation in Min.5058.3, ratified by the Full Council on 2nd July 2007.

ACTION THE CLERK

Mr. Cannell arrived during the following item.

5066 PLANNING APPLICATIONS

| | |
|---|----------------|
| 07/01302/APP 5 Bath Lane First floor rear extension | SUPPORT |
| 07/01491/APP 22 March Edge Single storey rear extension | SUPPORT |
| 07/01497/APP 44 Kingfisher Road Single storey side extension | SUPPORT |
| 07/01537/APP 17 Beech Close Single storey side extension | SUPPORT |

07/01538/APP

SUPPORT

Salisbury Cottage, Bath Lane
Installation of South facing roof panels
Support was given subject to the report of the Conservation Area Officer.

07/01556/APP

OPPOSE

24 Bourton Road
Single storey side extension
*Members noted that the previous extension to the dwelling (96/00679/APP) had increased the total floor area by 64%; together with the present proposal the original floor area was increased by 101.9%.
Members felt that this was overdevelopment of the site and would have a detrimental effect on the street scene.*

07/01560/APP

SUPPORT

7 Willow Drive
First floor side extension

07/01589/AAD

SUPPORT

Buckingham Beales Hotel
Erection of internally illuminated pylon sign

07/01595/APP

SUPPORT

30 High Street
Change of use of ground and first floor from residential to B1 (medical) use and continued use of 2nd floor as residential

07/01602/ACL

SUPPORT

8 Nightingale Place
Certificate of lawful use for continued use of land as domestic residential curtilage
Members commended the applicants for their care of the piece of land and supported the continued use as a planted area but felt that it should remain Public Open Space as originally planned.

07/01612/APP

OPPOSE

16 Bourtonville
Single storey rear extension
Members noted the lack of parking layout and the comments of the Planning Officer in correspondence over this and the size and position of the proposed extension. Members opposed over the parking provision and overdevelopment of the site.

07/01676/ATC

SUPPORT

University Precinct, Hunter Street
20% crown reduction to four fruit trees and pollard one willow
Support was given subject to the arboriculturalist's report; Members recommended that the work to the fruit trees not be carried out until after the fruiting season to benefit both the trees and the wildlife dependent on them.

07/01688/ATP

SUPPORT

Rear of 95 Fishers Field

Works to Weeping Willow and Horse Chestnut

Support was given subject to the arboriculturalist's report.

Members voiced a general concern about trees (both existing and those part of the planting scheme) on development sites, and asked that adequate consideration be given to the eventual size of the tree and the siting of adjacent buildings and fences, to cut down the number of subsequent works applications. Appropriate methods of laying paths would also reduce damage caused by tree roots.

07/01689/ATC

SUPPORT

Former Railway Line, Tingewick Road

Works to trees

Support was given subject to the arboriculturalist's report

07/01690/ATC

SUPPORT

Former Factory, Tingewick Road

Works to Sycamore tree

Support was given subject to the arboriculturalist's report

07/01709/APP

SUPPORT

42 Bourtonville

Two storey side extension

Support was given subject to acceptable parking arrangements and matching materials.

07/01733/APP

SUPPORT

14 Moreton Drive

Single storey front and side extension

07/01787/APP

SUPPORT

Fleece Yard, Market Hill

Demolition of commercial Units 8 & 9 and erection of No. 5 dwelling and associated parking

Support was given subject to the recommendations of the Historic Buildings Officer.

Concern was expressed at the restricted vision for vehicles emerging from the arch and the lack of any indication of lighting at the top end of the yard for the safety of residents and security of their property. The advice of the Police Architect should be sought on appropriate effective lighting.

In light of the proposals for the rear of Market Hill properties, Members asked if provision could be made for public access so that the Yard could eventually be used as a pedestrian access to Market Hill, thus eliminating some car journeys.

The following minor amended plans were posted for Members' information only:

07/00971/APP 10 Adams Close Erection of conservatory

Amendments: High level windows and brick wall to north western side

Members noted that the decision had already been made (below)

07/01213/APP 32 Portfield Way Two storey side and single storey rear extension
Amendments: set back by .03m from front and rear wall; reduce ridge to be set down by 0.253m;

Further Amendment: parking details

Additional further amendment: Proposed extension roof ridge 0.3m lower than main ridge.

07/01308/APP Danube, Stratford Rd. First floor rear extension

Amendment: To avoid 45° rule by cutting corner off extension

07/01331/APP 10 Plover Close Two st. side and front ext'n and detached garage

Amendment: drawings now include elevations of proposed garage

Further amendment: Amended third parking space

*Proposed by Cllr. Stevens, seconded by Cllr. Mahi, and **AGREED** to take item 9 next.*

*Proposed by Cllr. Stevens, seconded by Cllr. Mahi, and **AGREED** to suspend Standing Orders to allow Mr. Cannell to address the meeting.*

5067 (5054.1) PRESENTATION FROM MR. J. CANNELL, AND TO DISCUSS PLANNING CONCERNS

Mr. Cannell had prepared an overview of the presentation and circulated copies at the meeting.

He outlined the structure of the Planning Department and the legislative background to its procedures. More detail was provided on permitted development and on Government targets: 90% of developments of 10 houses or more, or 10,000m² and more, should be determined within 13 weeks of receipt, the remainder in 8 weeks; if these targets were not met planning powers could be removed. AVDC meets and exceeds these targets. Pre-application discussions with applicants could ensure adequate documentation when applications were received, and these could involve other entities such as Highways or the Environment Agency. Guidance was awaited from the Standards Board and LGA on how local councils could meet applicants in connection with 'Statements of Community Involvement' without prejudice, but in general such meetings were useful.

In answer to a question:

The views of an elected body such as the Town Council carried more weight than those of interest groups and residents as representing the whole of the town, and having the general good rather than specific interests in mind.

The legislation on applications dated from 1988 and was loosely worded, and needed to be clarified. The Government had sought to introduce a single National Application Form in the autumn of 2007 which could be dealt with electronically. This had been modified to 28 or 29 different forms as the single form had required 42 pages, and would be adaptable to local requirements. It is not on schedule for autumn delivery.

Cllr. Mordue left the meeting.

The difficulty of reconciling the wording of the law with the information supplied with an application – sufficiency is not the same as quality – led to problems with validation on receipt of an application. Seeking clarification or amendments

extended the planning process, and an applicant could appeal if a decision was not made in the 8 weeks if he considered the documentation provided was adequate. An independent Planning Inspector then decides if the applicant has just cause and makes a decision.

A question was asked about uniformity of site plans and showing the relationship of the proposal to neighbouring properties.

The Ordnance Survey is now a commercial organisation and sells site plans; there is no means of insisting on their use. AVDC used to have a licence agreement with the OS to reproduce and sell their maps but now some kind of new relationship must be considered. The Government is looking at ways to make applicants provide a standard site plan. There is no legal necessity to include neighbouring properties, and an applicant has no right to survey other properties for this purpose. [The Chairman pointed out that local Members were able to view the neighbouring properties and bring their observations to the meeting].

Fewer amended plans are being considered; if a proposal requires major changes the applicant is recommended to withdraw and re-submit which starts the clock ticking anew. Large developments have a design documents which sets road patterns and other details, locking the design process and delivering the expected project.

A discussion ensued about affordable housing and whether it could be designated for local people; a revision of the Special Planning Guidance on Affordable Housing was in preparation and would shortly be sent out for consultation.

Cllr. Loftus left the meeting.

Telecommunications and some Agricultural matters are Notifications and if no contrary decision is obtained in 6 weeks, the work can go ahead. This leaves little or no time for a Town Council response to be taken into consideration.

A new Strategic Development Control Committee is to be formed in September to consider major developments - 50 houses or more, 3,000m² commercial space or more (20 and 2,000m² respectively in Aylesbury Town Centre), AVDLP/LDF site specific proposals and other key growth related development – but its composition and mode of operation are yet to be decided. This does not imply that the existing DCC will become 'second-class'.

In general conditions were not imposed where other legislation covered the matter, but applicants' attention was drawn to these requirements. If Members had a particular concern which they felt might be overlooked, it could be flagged up in their response.

Mr. Cannell then outlined how the S106 system works; in Aylesbury a transport contribution is also levied, and it has yet to be discussed whether this should be rolled out over the rest of the District.

The Chairman thanked Mr. Cannell for attending; another meeting will be arranged to discuss the administrative problems highlighted in correspondence.

Mr. Cannell & Cllr. Isham left the meeting and Standing Orders were reinstated.

It being now past 10.00pm, the Chairman proposed, and the Members and Clerk agreed, to carry on until the agenda items were completed.

5068 PLANNING DECISIONS PER BULLETINS

APPROVED

| | | |
|--------------------------------|---|---------|
| 07/00670/APP Fleece Yd. | Demol. sections of 6 & 8; new stairwell, create 3 flats | Support |
| 07/00802/APP 15 Treefields | Single storey rear extension | Support |
| 07/00971/APP 10 Adams Close | Erection of conservatory | Support |
| 07/01058/APP Roseway, Str. Rd. | Single storey rear extension | Support |
| 07/01063/APP 46 Treefields | Erection of conservatory – retrospective | Support |
| 07/01126/APP 71 Moreton Rd. | Rear first floor extension | Support |
| 07/01136/APP Skate Park | New Shelter+solar panel on existing shelter | Support |
| 07/01137/ATN Mt. Pleasant | 15m mast/3 antenna + equipment cabinets | Oppose |
| 07/01199/APP 6B, Fleece Yard | Ch. use of 1 st floor from office use to 2 bed. flat | Support |
| 07/01200/ALB 6B, Fleece Yard | Alterations re ch/use 1 st floor office → flat | Support |
| 07/01250/APP Hill House | Erect garden pavilion/summerhouse | Support |

REFUSED

| | | |
|-------------------------------|---|--------|
| 06/02977/APP Stratford House | Alts. to garage to form 2 1-bed flats above | Oppose |
| 07/01028/APP Stratford Fields | Erection of club house | Oppose |

REPORTS TO DEVELOPMENT CONTROL

Reports on the following applications have been received and are available in the office

| | |
|----------------------------------|---|
| 07/00784/APP 43 Embleton Way | Two st. side extension and rear conservatory (site visit) |
| 07/01003/APP land at Bridge St. | Erection of 99 apartments, 4 mews houses, retail unit, car parking and riverside amenity area including footpath link and semi aquatic area |
| 07/01152/APP Wooburn, Stowe Ave. | Two storey side extension |

NOTICE OF APPEAL HEARING

06/02145/APP Land/rear 25 Nelson St. Alts. to roof of garage bldg. to provide loft room
Informal Hearing – 24th July 2007 at 10.00 in the Claydon Room, Civic Centre, Aylesbury.

5069 PLANNING - OTHER MATTERS

5069.1 Planning News from Bulletin 24.07

Notes on the Government White Paper – Planning for a Sustainable Future - and of the revised Local Development Scheme were circulated with the Agenda. A copy of the revised scheme was available in the office.

5069.2 Bucks. Waste Development Plan

Cllr. Whyte reported on the exhibition at Beales Hotel. In the north of the county apart from the Preferred Option landfill site at Calvert, 2 sites were 'areas of search' for an enlarged Household Waste Site – Buckingham South East (38ha/94.5 acres along the bypass south of Badgers and the eastern side of the London Road to beyond Benthill) and Buckingham South West (13.8ha/34 acres along the bypass south of Mount Pleasant and east of Gawcott Fields). The existing House Waste site would be closed.

Cllr. Whyte would prepare a summary report on the Preferred Options Consultation Report Document for the next meeting. (Response required by 3rd August)

ACTION CLLR. WHYTE

5069.3 BCC Gypsy and Traveller Accommodation consultation document
(referred from Full Council 2/7/07). The Chairman reported that this was a very simple document assessing the need in the 4 District Council areas of the County. The document would be copied to all Members so that an agreed response could be decided at the next meeting. (Response required by 6th August)

ACTION THE CLERK

5069.4 Countryside Voice (CPRE)

The Summer 2007 edition was available from the office.

5070 CORRESPONDENCE

5070.1 (07/00487/APP: land adj. 19 Squirrels Way) AVDC reasons for decision contrary to BTC response

Members had opposed, responding as follows:

Members were informed that no yellow notice was visible, and furthermore that several needed to be posted in the vicinity of the site due to the complexity of the road and path layout on this part of the estate.

It was noted that no parallel application had been received for the implied demolition of the garage on the site and the rebuilding of a single garage with utility room extension at 19 Squirrels Way. Members would prefer clear separate 'existing' and 'proposed' drawings.

The site is adjacent to an unlit meeting of four paths; it was felt that a two storey dwelling would add to the darkness and impression of enclosure and would be contrary to the principles of Section 17 of the Crime & Disorder Act. Members also felt that the leavening of the street scene of the estate with open spaces should be maintained; if this infill were permitted it could set a precedent.

AVDC had approved:

"So far as your observed lack of site notices is concerned, this was just a simple case of the Town Councils consideration of the matter prior to a visit to the site by the case officer who is responsible for displaying the notices. 5 notices were displayed to ensure that all routes past the site were covered.

Whilst it would be preferable for separate existing and proposed drawings to be provided, an application would not be invalid without this provided that the proposals were clear. No planning permission would be required for the demolition of the existing garage and the new building works would be permitted development if the applicant chose to carry them out. All that is necessary for the purposes of this application was to demonstrate that sufficient off-street parking is available for the retained dwelling.

We did consult the Crime Prevention Design Officer who advised us that as the garage would be single storey and set in from the boundary by 1m it would not unacceptably enclose the path along the site. Surveillance of the network of paths in the area would be improved by the proposed landing window.

It is recognised that some open spaces are important to the character and appearance of an estate, but this land has building on it already and is not regarded as an important open space. It was considered that the proposal would not result in a cramped form of development which would be out of keeping with the character

of the area. As each application is considered on its merits, there should not be concerns about the question of precedent.”

5070.2 Local Development Framework Consultation

Initial information was circulated with the agenda. The consultation document was awaited.

5070.3 Request from Hartridge’s as per letter circulated with full council agenda.

Hartridge’s had asked for support to have a footpath installed along the Radcliffe Road to their new site, for the safety of their employees.

Members noted that only a few metres of one side of the road by the roundabout were within the parish boundary and decided they could offer moral support only.

ACTION THE CLERK

5071 PRESS RELEASES

None required.

5072 CHAIRMAN’S ITEMS

5072.1 Cattle Market

Cllr. Stuchbury advised Members that a new cattle market was to be set up at Home Farm on the A422 Stony Stratford road.

5073.2 (5058.6.2) Dark Alley

Cllr. Try asked about the locked gate at Waglands Garden.

No response had been received as yet; this was one of the matters the Clerk would be chasing.

ACTION THE CLERK

Meeting closed at: 10.28pm

CHAIRMAN DATE