

**MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON  
MONDAY 15<sup>th</sup> OCTOBER 2007 AT 7.05pm FOLLOWING THE PUBLIC SESSION**

**PRESENT:** Councillors T. Bloomfield  
H. Cadd  
Mrs. G. Collins  
Mrs. P. Desorgher  
P. Hirons  
H. Lewis  
G. Loftus  
A. Mahi  
H. Mordue (Mayor)  
M. Smith  
R Stuchbury  
M. Try  
W. Whyte

Also Attending: Cllr. D. Isham

For the Town Clerk Mrs K.W. McElligott

In the absence of the Mayor, and following on from the Public Session, it was agreed that Cllr. Loftus remain in the Chair until the new Chairman was elected.

**APOLOGIES FOR ABSENCE**

Apologies were received and accepted from Councillor Mrs. P. Stevens, and for late arrival from Cllr. Mordue.

**5101 DECLARATIONS OF INTEREST**

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.

Cllr. Desorgher declared a personal interest in application 07/02569/APP 16 Bourton Road as this was next door to her property.

Cllr. Mahi declared a personal interest in application 07/02521/APP 99 Burleigh Piece as this was next door to his property.

Cllr. Stuchbury declared a personal interest in application 07/02664/APP Bourton Meadow School as his son attended the school.

Cllr. Mordue declared a personal interest later in the meeting as indicated in applications 07/02571/AAD and 07/02685/APP.

**5102 ELECTION OF CHAIRMAN**

Proposed by Cllr. Stuchbury, seconded by Cllr. Smith, and **AGREED** unanimously that Cllr. Whyte be Chairman of the Planning Committee.

*Cllr. Whyte took the Chair.*

#### **5103 ELECTION OF VICE CHAIRMAN**

Proposed by Cllr. Stuchbury, seconded by Cllr. Desorgher, and **AGREED** unanimously that Cllr. Loftus be Vice Chairman of the Planning Committee.

#### **5104 ACTION LIST**

The Action list had been circulated with the agenda.  
(5088.1) A response received that day from Mr. Cannell was circulated at the meeting and consideration postponed to Chairman's Items.

#### **5105 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 17<sup>th</sup> September 2007 ratified on 8<sup>th</sup> October 2007 were received. There were no matters arising.

#### **5106 PLANNING APPLICATIONS**

The following planning applications were received and discussed. –

**07/02488/APP** **SUPPORT**  
2 Embleton Way  
Conversion of garage to residential use

**07/02518/APP** **SUPPORT**  
11 Osprey Walk  
Erection of conservatory

**07/02521/APP** **SUPPORT**  
99 Burleigh Piece  
Erection of rear and side conservatory and new front bay window

*Cllr. Mordue arrived.*

**07/02569/APP** **SUPPORT**  
16 Bourton Road  
Two storey side extension and provision of new access  
*Members noted the proposed extension was not subsidiary.*

*Cllr. Mordue declared an interest in 07/02571/AAD and 07/02685/APP.*

**07/02571/AAD** **SUPPORT**  
Unit 7 (10) Swan Business Park  
Display of two non-illuminated company signs

**07/02588/APP** **SUPPORT**

11 King Charles Close  
Single storey front extension

*The following two applications were considered together:*

36-37 High Street

**07/02610/APP**

**SUPPORT**

Single storey rear extension, associated external alterations and conversion from A4 to restaurant (A3) – amendment to planning approval 07/00140/AP

**07/02611/ALB**

**SUPPORT**

Single storey rear extension, associated external alterations and conversion from A4 to restaurant (A3) – amendment to Listed Building Consent 07/00146/ALB

**07/02625/ATC**

**SUPPORT**

Browns, The White House, Market Hill

Reduce and thin one tree to the rear of the property

*Members noted that the indicated plant was a shrub not a tree.*

**07/02664/APP**

**SUPPORT**

Bourton Meadow Combined School, Burleigh Piece

Replacement of temporary building with erection of modular permanent single storey classroom building

*Members discussed whether there was much difference between ‘temporary’ and ‘modular permanent’ buildings, feeling that a brick-built permanent extension to the school would be preferable as there had been temporary accommodation for pupils on the site since 1994 and the population was unlikely to decrease.*

*Members agreed to support the application for the benefit of the school, but advocated that the school plan for a permanent extension integral to the existing school, and that a time limit be placed on the use of this modular building.*

*The following two applications were considered together:*

**07/02667/ALB & 07/02669/APP**

**SUPPORT**

The Woolpack PH, Well Street

Extension and alteration to existing pergola and construction of enclosed play area in rear garden

**07/02671/APP**

**SUPPORT**

9 Woodlands Crescent

Alterations to pitched roof over front and rear dormer window

**07/02685/APP**

**SUPPORT**

Unit 7 (10) Swan Business Park

Installation of seven ground floor and seven first floor windows in rear and side elevations

**07/02690/APP**

**OPPOSE**

31 Bourton Road

Conversion of garage and first floor side extension

*Members opposed on the grounds of overdevelopment of the site, exceeding the criteria for extensions (increase in habitable space of over 100%), detrimental*

*impact on the street scene, and lack of indication of sufficient parking space given the loss of the garage.*

**07/02691/APP**

**OPPOSE**

33 Bourton Road

Two storey side extension and single storey rear extension

*Members opposed on the grounds of overdevelopment of the site, exceeding the criteria for extensions (84% more habitable space) and detrimental impact on the street scene.*

**07/02722/APP**

**SUPPORT**

28 Bradfield Avenue

Single storey side extension

**07/02768/APP**

**SUPPORT**

Budgens, 14 Meadow Walk

Sub division of existing store to provide new class A1 unit and creation of new shop front and entrance and rear roller shutter entrance

*A majority of Members (Cllr. Stuchbury opposing) supported the proposal, but expressed concern that the existing cycle rack provision was not included on the drawings: there should be no fewer cycle racks under the canopy after the new shopfront was installed. Members also drew attention to the width of the proposed extension to the Community Centre (appln. 06/02434/APP) and the consequent narrowing of the walkway between the two buildings.*

**07/02783/APP**

**SUPPORT**

15 Swan Business Centre, Osier Way

Installation No.3 windows and No.5 air conditioning condensers

**07/02790/APP**

**SUPPORT**

Sports Pavilion, Stratford Road

Erection of sports pavilion

*Members noted that the new plans took account of previous comments.*

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

**07/01003/APP** Land off Bridge St. 99 apartments, 4 houses, shop, café, etc.

*Minor amendments: 4 parking places to left of entrance from Bridge Street, on the metal grille over the basement ventilation outlet have been deleted and trees planted across to screen the grille; two new car parking places have been added within the development; one replaces a proposed large tree in the entrance road streetscape which has been moved further along to the corner on the road.*

*The loading bay on the right of the Bridge Street access beside the retail unit has been lengthened across the top of the underground car park entrance deleting cycle stands.*

Members were advised that a further drawing had been received direct from the applicant, showing the addition of racks for 6 cycles opposite the loading bay, and a dedicated service route from the loading bay to the cafe (to be so signed) to avoid clashes with pedestrians.

**07/02020/APP** Nat West Bank Rear Fire Escape and handrails  
*Amendment: Fire escape moved to centre of rear elevation (as far as possible from The White House, which is listed) and black hammerite substituted for proposed grey galvanised finish.*  
*Members were advised that the decision had been made (below).*

**07/02042/APP** The Bungalow, Bath La. Commercial vehicles garage/workshop, ferrous metals storage area  
*Corrected drawing showing new building 1m inside boundary with conifer hedge screening*  
*Members were advised that the decision had been made (below).*

### **PLANNING DECISIONS PER BULLETINS**

#### **APPROVED**

07/00784/APP 43 Embleton Way	2 storey side extension & rear conservatory	Oppose
07/01313/APP 68 Moorhen Way	Extn of wall to enc. land for residential use	Oppose
07/02020/APP NatWest Bank	Rear spiral fire escape & handrails	Support
07/02042/APP The Bungalow, Bath Lane	Garage/workshop & storage area	Support
07/02076/ATP Bernardines Way	Crown reduce 1 oak by 25-30%	Support
07/02078/APP 11-12 Chandos Rd.	New external basement stairway to front	Support
07/02084/APP 13 Busby Close	Conservatory	Support
07/02104/ATC 10 Market Sq.	Removal of all trees and woody vegetation	Support
07/02117/ATC Nelson Court	Works to trees	Support
07/02139/APP 2 Foxglove Close	Conv. of 1 garage to living accommodation	Support
07/02155/APP 3 Busby Close	Single storey front extension	Support
07/02288/ATC 20-21 High St.	Fell 3 trees	Support
07/02227/APP 138 Moreton Rd.	Single storey rear & first floor front extensions	Support

In answer to a question, the Chairman pointed out that AVDC are not obliged to confirm our response, but if the Town Council opposes then the application has to be decided by the Development Control Committee rather than by the Planning Officer; furthermore whether the contrary decision is approve/oppose or refuse/support AVDC send a letter of explanation (as 5108.1 and 5108.2). Other Members pointed out that our response supports the arguments of local District members and that AVDC had to take a broad view of all responses and balance the decision against the possibility of appeal by the applicant.

#### **WITHDRAWN**

07/00876/APP 35 Moreton Rd. Part two storey, part one and half storey side extension  
*[Members had supported]*

#### **APPEALS LODGED**

07/01538/APP Salisbury Cottages, Bath Lane Installation of south facing roof panels  
07/01176/APP Land behind Avenue House & Barracks House, Western Ave. Erection of two storey dwelling

#### **5107 PLANNING - OTHER MATTERS**

5107.1 To discuss and agree street name suggestions for the Moreton Road development per letter attached to the agenda.

Members agreed that the main spine road should be named after Mr. W. Whitehead, who farmed at Chackmore, and was a magistrate and ex-Chairman of the Rural District Council. He had also done a great deal of work for Charity and his name had been put forward by the Buckingham Rotary Club for consideration as a road name. He had also been interested in the Rare Breeds Society. Members agreed Whitehead Way for the spine road looping from and to the Moreton Road and a selection of names of breeds of sheep was also agreed as follows:

Balwen, Boreray, Castlemilk, Hebridean, Hill Radnor, Jacob, Lincoln, Ronaldsay, Ryeland, Shetland, Teeswater.

Members felt that these names could stand alone (without Street/Road/Lane etc. attached).

Names reserved for future use:

Liverseidge

Mouvoux

#### 5107.2 (5100.1) Bucks.Minerals & Waste LDF Consultation

Cllr. Whyte's report had been circulated with the agenda. As the consultation was on mineral resources, and none were situated in the north of the county, Members agreed that no response need be sent.

#### 5107.3 (5097.2) To consider *The Validation of Planning Applications* and make suggestions for inclusions in the Local List (summary sent with 28/8/07 agenda; deferred from last meeting)

Mr. Cannell's letter (see below) indicated that a formal consultation process would begin in early December. The matter was therefore deferred until these documents arrived.

### **DECEMBER AGENDA (3<sup>RD</sup> OR 18<sup>TH</sup>, AS APPROPRIATE)**

#### 5107.4 (5098.2) Report on the adoption of services and open space

Resulting from further investigation by the householder complaining of flooding in Osprey Walk (Mins. 5014.2 & 5030.2 refer) it appeared that Anglian Water had not adopted drains and sewers in large areas of the Badgers Estate, despite (in the Local Search carried out by his solicitor in 1993) AVDC stating "As from 01.04/92 Anglian Water Services Limited are responsible for dealing with enquiries 2.1.1 – 2.6" [*to do with surface and foul water drainage and sewerage*]. AVDC have indicated their records were lost in a fire. In both the road adoption document (signed by BCC) and the sewer etc. adoption document (signed by AVDC) the developer is named as Anaconda Securities, a company which no longer appears to be trading. There is no evidence that s18 monies were paid. Anglian Water charges for the water supply and sewerage service; it does not have to own or maintain the infrastructure. Residents are finding that they are responsible for the upkeep in the absence of any other responsible authority.

Members discussed the particular problems of the Badgers Estate, but pointed out that new estates could run into similar problems without diligent control of the construction and adoption processes. It was unfortunate that the one copy of the documentation in existence appeared to have been destroyed.

*Proposed by Cllr. Whyte, seconded by Cllr. Try, and AGREED to suspend Standing Orders to enable the resident to speak.*

Mr. Goodgame explained how the builder (Prowting Homes) had become part of Westbury Homes then part of Persimmon Homes, whose archives were kept by Clark Wilmot. He had spoken to the archivist and records as far back as 1986 were no longer held. A land drain parallel and adjacent to the bypass verge passed through the back of his land and No. 7's to the ditch behind 5 & 7 Osprey Walk and Badgers Way and was shown on the drawing attached to his Search document, but his insurer refused to cover damage caused by a pipe which did not serve his own property. There appeared to be a leak in this drain which caused the flooding of his house in heavy rain, but he had been quoted £150,000 to investigate where the leak might be coming from.

*Proposed by Cllr. Whyte, seconded by Cllr. Lewis, and AGREED to reinstate Standing Orders.*

Members asked that letters be sent

1. To AVDC to ask when the drains are to be adopted.
  2. To Anglian Water, a follow-up to the letter sent after the last meeting, no response having been received.
  3. To BCC, re surface water drains and maintenance of drains and culverts.
- If no reply was received within the Committee's stated period, the letter would be copied to the Chief Executive.

Members asked that a copy be circulated to the Committee.

**ACTION THE CLERK**

*Proposed by Cllr. Whyte, seconded by Cllr. Mordue, and AGREED to take item 10.3 next as it related directly to the above.*

5107.5 (5098.2) Response from Mr. Skedge

Members felt the letter contained little useful information, apart from which estates definitely weren't adopted (Moreton Grange, Waglands Garden and Coopers Wharf).

Concern was expressed that Page Hill was not yet completely adopted after 30+ years; and there was no progress on Badgers or Linden Village. AVDC would be asked why there was no progress to report, and for maps showing what land was adopted, and a timetable requested for adoptions in progress.

**ACTION THE CLERK**

5107.6 (5100.2) To discuss and agree provisional recommendation for 2008/2009 budget

The Chairman felt that provision should be made in the budget for the proposed Strategic Plan for Buckingham.

**NOVEMBER AGENDA**

## **5108 CORRESPONDENCE**

### 5108.1 (07/00784/APP; 43 Embleton Way. Two storey side extension and rear conservatory, and retention of shed in rear garden): AVDC reasons for decision contrary to BTC response

Members had **OPPOSED**: *Members reiterated their concerns over the extension of an 'affordable' unit, deploring its consequent loss to the pool of affordable dwellings, and also noted that the fall of the land meant that the proposed extension would overlook neighbouring properties; the outer dimensions of the proposal were exactly the same as the previous (refused) application. The application was opposed on the grounds that it was visually intrusive and would have a detrimental effect on the street scene.*

Members made no comment on the three subsequent Minor Amendments.

AVDC had **APPROVED**: "The impact of the proposal on the price of the dwelling is not a material planning consideration and therefore was not considered in the determination of the application.

The impact of the extension on neighbouring properties in terms of overlooking was considered to be acceptable, given the distance between the site and the neighbouring dwellings and the omission of windows from the north facing elevation of the extension. The distance between the site and the neighbouring properties and the existing and proposed boundary planting was considered to mitigate the impact of the extension in terms of outlook and access to light for neighbouring properties.

The impact of the proposal on the street scene was considered to be acceptable as the extension would be subservient in scale to the original dwelling and would be finished in matching materials. It would retain a 3.1m gap to the northern boundary which is in accordance with the adopted Design Guide on Residential Extensions."

### 5108.2 (07/01313/APP;68 Moorhen Way. Extension of boundary wall to enclose land for residential use): AVDC reasons for decision contrary to BTC response

Members had **OPPOSED**: *Members expressed concern that the proposed wall restricted driver's sight-lines and that amenity land should be protected from acquisition.*

Members made no comment on the subsequent Minor Amendment.

AVDC had **APPROVED**: "The proposed wall extension would measure 1.65m in height and would be built inside the line of the 1.5m high hedge. The Council's Highway Engineer was consulted on the proposal and confirmed that the new wall would not have a significant impact on highway conditions.

The change of use of the land to the side of the dwelling to private garden was considered to be acceptable as the existing hedge would be retained and the land to the front of the dwelling would be unchanged. This was considered to adequately protect the open character of the estate."

## **5109 PRESS RELEASES**

None were indicated, as the press had attended the meeting.

Members felt the item should be entitled 'News Releases'.

**NOVEMBER AGENDA ONWARDS**

**5110 CHAIRMAN'S ITEMS**

5110.1 Response from Mr. Cannell

This had only been received that day and circulated at the meeting. Members needed time to consider the information.

**NOVEMBER AGENDA**

5110.2 Grand Junction licence application

The Mayor reported that the Grand Junction licence application had been withdrawn at the last minute.

Members noted that the fire door was still being left open.

5110.3 Planning Gain Supplement

An email had been received from HMRC announcing that PGS legislation would not be included in the next Parliamentary session. There would be a Planning Reform Bill which would enable new planning charges to be levied on new developments.

Meeting closed at: 9.00pm

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