

MINUTES OF THE PLANNING COMMITTEE MEETING
HELD ON MONDAY 28th JULY 2008 AT 7.16pm following the Public Session

PRESENT: Councillors Mrs. P. Desorgher
P. Hirons
A. Mahi
M. Smith
R. Stuchbury
M. Try
W. Whyte (Chairman)

For the Town Clerk Mrs K.W. McElligott

APOLOGIES FOR ABSENCE

Apologies were received and accepted from Councillors T. Bloomfield, H. Mordue (Mayor) and Mrs. P. Stevens.

5217 DECLARATIONS OF INTEREST

Cllr. Mahi declared an interest in application 08/01376/APP as an employee and took no part in the discussion;
Cllr. Try declared an interest in application 08/01663/APP as a neighbour.

5218 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 30th June 2008 ratified on 21st July 2008 were received. There were no matters arising.

5219 ACTION LIST

The Action list had been circulated with the agenda.

5219.1 (5194.3/5200.3) Dark Alley. Members were concerned that until the Right of Way was established, the School could close off Dark Alley forcing pupils of The Buckingham School to travel the long way round by Chandos Road/London Road. They also did not want the gate to become a fixture by default; the Clerk is to write to AVDC enquiring about progress in the matter of the gate and compliance with other planning conditions, and to BCC about the process of establishing a Right of Way. Copies would be sent to the appropriate higher level officer.

ACTION THE CLERK

5219.2 (5183.3) No Chairman's Group meeting had yet taken place. Members suggested that changes to the Terms of Reference should be agreed by the Full Council; other Chairmen present concurred.

ACTION – FULL COUNCIL AGENDA

5219.4 (5203.2) The Mayor would be reminded.

ACTION – FULL COUNCIL AGENDA

5219.5 (5204) The Chairman had the preparation of the list in hand.

5219.6 (5213.4) The Chairman handed the SEERA Sustainability document to Cllr. Smith at the meeting, and reported that very little related directly to Buckingham, but he would appreciate Cllr. Smith's views.

ACTION CLLR. SMITH

5220 PLANNING APPLICATIONS

*Proposed by Cllr. Whyte, seconded by Cllr. Stuchbury, and **AGREED** that application 5 be taken first for the convenience of the members of the public present.*

The following planning applications were received and discussed. –

08/01681/APP

DECISION DEFERRED

Land to rear of 23 Church Street

Erection of dwelling with associated access and parking

Members who had visited the site for a previous application described its character and surroundings; concerns about the access from Well Street in this previous application had now been discussed and modifications agreed incorporated in the resubmission. Members discussed the application and referred to matters raised in the preceding Public Session, and to policy on back garden development.

*Proposed by Cllr. Stuchbury, seconded by Cllr Hiron, and **AGREED** that a site visit would be undertaken by Members of the Committee; those who could not attend could record their support or opposition and leave this with the Clerk; and that absent Members would be advised of the visit in case they wished to attend.*

*Proposed by Cllr. Smith, seconded by Cllr. Stuchbury, and **AGREED** to suspend Standing Orders to enable arrangements to be made for the site visit.*

This was set as 7.45pm on Friday 1st August; Members to meet at the Church porch at 7.40pm and proceed to 23 Church Street first, and then the neighbouring property.

The members of the public left the meeting.

*Proposed by Cllr. Whyte, seconded by Cllr. Mahi, and **AGREED** to restore Standing Orders.*

08/01376/APP

SUPPORT

Tesco Stores Ltd., London Road

Installation of lobby screen at front entrance

Support was given provided the screen remained clear except for safety decals; Members would not approve of it being used as a billboard or otherwise obscured.

08/01538/APP

OPPOSE

Stowfield, Stowe Avenue

Demolition of existing garage and erection of double garage with flat above

Members were unable to tell from the incomplete drawings supplied whether there was sufficient parking for the existing house and for the additional dwelling, or the effect of the proposal on the entire front elevation. The new garage block also intruded forward of the Stowe Avenue building line.

08/01635/APP

OPPOSE

25 Hillcrest Way

Change of use from storage to food takeaway and delivery

Members supported the objective of the application but noted:

- *the poor documentation accompanying the application*
- *the lack of elevation drawing (the sketch plan does not square with the photograph)*
- *the lack of details of materials*
- *the lack of details of any signage change*

08/01663/APP

SUPPORT

1 Wharf View

Single storey rear extension

It was also noted that the property had made alterations to its garage including the insertion of a side door; Members asked if permission was required for this work.

The following application was considered by the Tree SubCommittee as the response date was 17th July:

08/01703/ATC

SUPPORT

1 The Limes, High Street

Works to No 9 Spruce trees

Three Members had supported, two had opposed. Members had also noted some interesting specimen trees in this garden, and asked that the tree officer consider whether any were of sufficient distinction to merit protection.

*Proposed by Cllr. Smith, seconded by Cllr. Hirons, and **AGREED** that the sub-committee response be ratified.*

The response date for the following application, received 17th July, was 22nd July: there had been insufficient time for it to be considered by the Tree SubCommittee by this date

08/01733/ATC

SUPPORT

Land off Verney Close

Works to trees

The case officer had been challenged by a Councillor about the short time allowed but appeared to dismiss the problem. A letter would be written.

Members felt that a written policy should be drawn up on direct contact with AVDC Officers.

**ACTION THE CLERK
AUGUST AGENDA**

08/01812/APP

SUPPORT

21 Plover Close

Demolition of existing rear conservatory and replacement with single storey extension

08/01807/AAD

SUPPORT

Land to the South of Buckingham Ring Road

Erection of signage on building and No 1 post sign

Members noted that this application had been posted as Tingewick Ward and asked the Clerk to write to AVDC about this second occurrence of incorrect designation.

ACTION THE CLERK

This application had not been received in time for the meeting:

08/01848/AAD

15-16 Market Hill

Installation of new fascia

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

08/01286/APP 3 West Street Creation of ground floor retail and basement storage with 10 No apartments with dormer windows. *Amendment: details of parking provision and bin store.*

Members noted there were still no details of the shopfront. The bin store was so inaccessible as to discourage its use; one could be provided closer to the front arch if the developer remodelled the interior to accommodate bins and recycling arrangements. Concern was expressed about the adequacy of the stair provision in case of fire, and the French windows to the side and rear of the furthest ground floor flat hardly complied with "safety by design" guidelines.

Members had no further comments on the following :

08/01324/AAD Land to S. Buckingham Ring Road/Osier Way Illuminated totem sign
Amendment: Details of illumination

08/01364/APP 11 Primrose Way Conversion of garage to form dining room and downstairs bathroom and provision of 2 No parking space in the front garden – retrospective

Amendment: to show existing and proposed parking

5221 PLANNING CONTROL

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

APPROVED

08/00574/ATP 5 Bostock Court	Crown reduce by 20-25%.2 Sycamores	Oppose
08/00627/ATP 5 Waglands Gdn.	Works to Oak and Yew tree	Oppose
08/00926/APP 7 Foxglove Close	Erect single st.side extn & repos. garden wall	Oppose
08/00951/APP land.adj.11 Meadway	Erect.single st.det.dwelling+prov.drives for #2 & #10	Oppose
08/01086/APP Waitrose	Generator,new shopfront,ATM,bike racks etc	Noted
08/01156/ALB 10 Well Street	Repl.exist ⁹ windows,insert French windows,etc.	Support
08/01288/APP Barclays Bank	Brick enclosure to screen air handling plant	Oppose
08/01322/APP Corner Ho.,West St.	Single storey outbuilding	Support
08/01324/AAD Land to S Ring Rd.	Illuminated totem sign	Support
08/01481/APP Castlefields	Erection of agricultural barn	Support

REFUSED

07/00325/APP Gawcott Hill Wks.	Erect 14 dwellings with garaging, roads etc.	Support
08/01196/APP 21 Plover Close	Single st. rear ext'n +1 st floor ext'n over garage	Support
08/01442/ATP 19 Waglands Gdn.	20 – 25% crown reduction to No1 Lime	Oppose

WITHDRAWN [advised verbally before last meeting; confirmed Bulletin 26/08]

08/01502/APP 1 Mallard Drive	Raising roof to create first floor accommodation and erection of two storey side and rear extensions	
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AMENDED PARISH – BUCKINGHAM SOUTH [*advised verbally before last meeting; confirmed Bulletin 27/08*]

08/01324/AAD land to S. Buckingham Ring road/Osier Way Illuminated totem sign
[previously Gawcott-with-Lenborough]

REPORTS TO DEVELOPMENT CONTROL

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

07/03325/APP Gawcott Hill Wks Erect.14 dwellings with assoc.garaging,roads & sewers

08/01196/APP 21 Plover Close Single st. rear extension and first fl. ext'n over garage

08/01288/APP 11 Market Sq. Construction of red brick enclosure to screen airhandling plant on front elevation of building

APPEALS LODGED

07/00206/APP 12 Adams Close Appeal against the enforcement notice issued that without planning permission the erection of a single storey rear extension to the dwelling on the land comprising a timber framed cat-run structure (“the cat run”)

07/02991/APP land adj. Verdun, Western Ave.
Erection of 3 dwellings

TREE PRESERVATION ORDER CONFIRMED

TPO 2008 № 11

T1 Ash T2 Ash

Bourton Mill Farm House, Bourton Road

5222 PLANNING - OTHER MATTERS

5222.1 To receive an update on the Buckingham Plan

The Chairman reported that the second workshop had been arranged for 13th August at 7.15pm in the Community Centre as before; the first one had been very useful and he thanked Cllrs. Isham and Bloomfield for providing coffee and tea.

The progress meeting held with Martin Dalby and Charlotte Stevens of Forward Plans had also been productive; Buckingham is now the only Tier 2 town in the Vale (Wendover, Haddenham and Winslow are Tier 3) and may thus have to bear the brunt of development not scheduled for Aylesbury. The implication is 1000 houses/2500 people bringing the town up to some 15,000 population. Approved developments (Moreton Road, Bridge Street) are part of this 1000; the remainder is to be debated against necessary infrastructure works.

Asked if the preliminary results of the questionnaire showed any trends, the Chairman said that of the 100 or so responses received to date there was agreement that some growth was acceptable, preferably integrated with the existing town, but any growth must be matched by increased services. The existing deficit should be made up before new considered. Principal concerns were to improve shopping and parking provision. He hoped to have summaries available for the workshop.

Members discussed the unbalanced distribution of responses – few were from younger people – but agreed that there had been enough publicity given to the Plan and nothing could be done about general apathy.

After the second workshop a meeting of all Councillors would need to be held to work out the final content of the Plan document and recommend it to the Full Council for adoption. The Chairman would liaise with AVDC over the format most useful to them, and circulate possible dates for the Council meeting.

ACTION THE CHAIRMAN

5222.2 (5203.4) To receive a report on the SEERA Review of Sub-Regional Allocation of Primary Land-won Aggregates in the South East

Cllr. Hirons had provided a written report which was circulated with the agenda. There was little relevance to the north of the County. Cllr. Hirons was thanked for his work.

5222.3 (5213.4) To receive a report on the SEERA Sustainability Framework document The Chairman had given his view earlier (5219.6); Cllr. Smith would report to a forthcoming meeting.

5222.4 (5214.6) Validation checklist

Members discussed the checklist under development by AVDC.

1.4 Site Plan: Neither 'will' or 'maybe' required for any category of application. Members found this odd as it was a national requirement.

2.1 Site survey (existing features): Neither 'will' or 'maybe' required for any category of application.

This was felt to be necessary for sites in the Conservation Area to show levels, especially important in areas liable to flooding and in hilly areas in order to fully appreciate roof lines or difficulties with access points. The positions of trees, etc. would also be useful.

LR3 Air Quality Assessment.

Members queried why this might be required for any domestic application.

LR4 Archaeology: Neither 'will' or 'maybe' required for any category of application. In settlements like Buckingham any open or demolition site should be made available for archaeological investigation. Rural areas could have different criteria but the possibility should remain for places of interest.

LR6 Structural Survey: Neither 'will' or 'maybe' required for any category of application.

There must be a structural survey for Listed Building applications.

LR12 Landscaping: Neither 'will' or 'maybe' required for any category of application.

This is important for large sites, and maybe also where shielding or barrier planting is desirable.

LR14 Parking & Access: Members were unclear why 'Will' for TPO tree works; 'maybe' for domestic applications.

Members felt that parking and/or access arrangements should be part of the validation procedure for all applications. Inadequate parking must be resolved before applications are accepted.

LR15 Photographs and photomontages: 'maybe' required for all planning permission categories except approval of details reserved by condition.

Members felt this was a less important requirement.

LR21 (Crime prevention), LR22 (Employment & regeneration) & LR23 (Energy statement): Neither 'will' or 'maybe' required for any category of application (but there are no specific industrial or office categories listed).

It was considered that an employment statement should be included for large developments. Crime prevention may also be a factor in some areas.

LR30 Refuse and Waste disposal: Neither 'will' or 'maybe' required for any category of application.

Bin storage and collection access should be part of any new dwelling or change of use applications.

Members were generally unhappy at the lack of differentiation between large and small proposals, whether sites were in the Conservation Area, edge of town or rural area, and the lack of requirement for parking and waste arrangements. More consideration should be given to specific requirements for different types of application.

The Clerk was asked to check if all the previously listed local requirements had been included. *[Clerk's note: in fact two additional LRs have been added to the list circulated in May – LR12 (Landscaping) and LR30 (Refuse & waste disposal). May's LR12 – 28 have been renumbered accordingly]*

ACTION THE CLERK

5222.5 To note receipt of *Countryside Voice* (CPRE) Summer 2008

This had been sent to the Chairman on receipt as requested.

5223 CORRESPONDENCE

AVDC reasons for decision contrary to BTC response:

5223.1 08/00574/ATP: 5 Bostock Court; Crown reduce by 20 - 25% of No 2 Sycamores

Members had **OPPOSED** because of the detrimental effect on the street scene.

AVDC **APPROVED**: "These trees were given TPO status, based on their visual contribution to the surrounding area. They stand on the road frontage, and make an important contribution to the character of the street scene. The proposed work to the protected trees have to be assessed on the amenity value of the trees and the likely impact of the proposal on the amenity of the area and to consider whether or not the proposal is justified, having regard to the reasons put forward in support of it. The determination of the application is made against advice contained in "Tree Preservation Order – a Guide to the Law and Good Practice" March 2000, Chapter 6.

In this case the proposed works to crown reduce by 20 – 25% of the two Sycamores, are considered minimal and would not significantly affect the trees health or appearance. The Council's Tree Officer has no objections and commented that the trees are prominent in the street but the work need not harm their amenity value if carried out to a good standard. Hence the proposed works to the protected trees is acceptable in arboricultural terms subject to a condition which requires all tree work to comply with the current British Standard *Recommendations for Tree Work*, BS3998."

5223.2 08/00627/ATP: 5 Waglands Garden; Works to Oak and Yew tree

Members had **OPPOSED**: In such a recently occupied development buyers would be aware of the size and spread of the trees (and should have been advised by their

solicitors that the trees were protected) and Members felt that such works were uncalled-for.

AVDC APPROVED: "The site is a recently occupied development and the trees associated with the proposal were given TPO status, based on their visual contribution to the residential development and the surrounding area. Following the development on the site, the trees are still important in visual terms. The fact that the applicants applied for permission for the work on the trees indicates that the buyers, in this case the applicants, must have been aware that the trees are protected by the TPO.

The proposed work to the protected trees have to be assessed on the amenity value of the trees and the likely impact of the proposal on the amenity of the area and to consider whether or not the proposal is justified, having regard to the reasons put forward in support of it. The determination of the application is made against advice contained in "Tree Preservation Order – a Guide to the Law and Good Practice" March 2000, Chapter 6.

In this case the trees are located in the front garden immediately adjacent to the driveway of the applicant and the neighbour's driveway. The trees have good amenity value and are visible from both streets to the front and rear of the site. However the proposed works, proposed by a professional arboriculturalist, would be minimal. The Council's Tree Officer has no objections as the proposed works to the trees would not affect the health or amenity value of the trees significantly. Hence the proposed works to the protected trees is acceptable in arboricultural terms subject to a condition which requires all tree work to comply with the current British Standard "Recommendations for Tree Work", BS3998."

5223.3 08/00926/APP: 7 Foxglove Close; Erection of single storey side extension and repositioning of garden wall

Members had **OPPOSED, feeling** there was insufficient detail on the proposed height of the wall and whether there was any planning condition on the development maintaining the open aspect of land adjacent to common areas. Minor Amended Plans were subsequently received showing the existing and proposed position of the wall.

AVDC APPROVED: "As far as the detail of the wall is concerned the proposed new wall would be the same height as existing which is currently between 1.8m to 2m high.

With regard to the land adjacent there is no planning condition on the development maintaining the open aspect of this land adjacent to common areas. However the area is privately owned it is shown as a landscaped area on the original plans for the estate.

In dealing with applications for development involving the loss or reduction of public and private open space the Council will have regard to its recreational or amenity value and the desirability of protecting those aspects of its enjoyment. In many cases the Council would resist enclosing such an area because it is visible from the front access and Foxglove Close and forms part of the spacing of the estate in general. The strip was highlighted in the original plans for this area as an area of landscaping. Its total enclosure would be detrimental to the visual amenity of the area.

However in this case the proposal is only to enclose a small triangular corner at the side of the house furthest from the access. It would retain a significant part of the landscaped area at the side. It would still retain a 'curved' appearance which would

respect the existing garden wall. It is considered that given this curvature and the remaining presence of the open area to side, the enclosure of this area would not be harmful.”

5223.4 Tyco Electronics: Proposed Upgrade of the existing T-mobile installation adjacent to Gawcott Road

The details had been posted on the noticeboard. Members were informed that any equipment noise was unlikely to be noticeable, and that the upgrade was likely to be the result of two companies merging.

ACTION THE CLERK

5223.5 (5203.5) 2 Primrose Way: AVDC re Highways advice

Highways had not been consulted as the road was unclassified and the access was to be extended away from the junction with Embleton Way.

Members discussed unclassified roads – as all estate roads are – and whether all proposals with highway implications should be referred to Highways for comment. There was doubt whether Highways would comment on unadopted roads; the Clerk to ascertain whether Mount Pleasant roadways have yet been adopted or are still in the hands of the developer.

ACTION THE CLERK

5223.6 (5204.3) Local Council Communications Group

The letter had been circulated with the agenda.

Members asked that the Clerk find out the date of the next meeting, and that it not be at such short notice.

ACTION THE CLERK

5223.7 (5214.6:5211) Validation; parking spaces; response from J Cannell

The letter had been circulated with the agenda.

Validation had been dealt with earlier (5222.4)

AVDC's SPG on Parking was not programmed for review, and used standard bay sizes. Other councils had adopted larger bays. Members asked what AVDC's programme might be for updating adopted documents.

ACTION THE CLERK

5223.8 (5216) Yellow Notices: response from J. Byrne, AVDC

The letter had been circulated with the agenda.

Members asked what mechanism was in place to ensure that notices remained in place until at least the 'comment by' date.

ACTION THE CLERK

5223.9(5180, 5210) Waste & Minerals Consultation; response from Cllr. Tett,BCC

The copy letter had been circulated with the agenda; it was dated 4 June 2008, but had not been received. The copy was emailed to the office after intervention by Cllr. Mills.

The letter implied that the 2007 scheme was essentially the same as the 2008 and thus the exhibition in July 2007 at Beales Hotel was equivalent to a consultation on the revised plans. BCC had been unable to find a 2008 date when the Buckingham Community Centre and the Panel Members were available. The Calvert Green meeting was ticket-only because of fire regulations' restriction on numbers related

to the size of the hall. Estimated travel movements for the site are 3692 per year, equivalent to 0.03% increase in traffic on the A421 in the vicinity [about 14 per day]. Members felt that the 2007 scheme differed radically from the 2008 and that consultation arrangements like the Calvert Green meeting should have been made for Buckingham and Gawcott for the revised scheme.

ACTION THE CLERK

5224 NEWS RELEASES

The Chairman would remind the *Advertiser* about the workshop.

ACTION THE CHAIRMAN

Members and the Clerk agreed to carry on past 10.00pm

5225 CHAIRMAN'S ITEMS

5225.1 Proposed Changes to PPS6: Planning for Town Centres. Consultation
Cllr. Smith would review this document and report to the next meeting.

5225.2 Taylor Review on Rural Economy and Affordable Housing: Section 2 -
Living Working Market Towns
Cllr. Hirons was asked to review this document and report to the next meeting.

Meeting closed at: 10.07pm

CHAIRMAN DATE