

**MINUTES OF THE PLANNING COMMITTEE MEETING HELD AT ROOM MB1,
UNIVERSITY OF BUCKINGHAM, HUNTER STREET,
ON MONDAY 2nd MARCH 2009 AT 8.25pm following the Interim Meeting**

PRESENT: Councillors T. Bloomfield
Mrs. P. Desorgher
P. Hirons
A. Mahi
H. Mordue (Mayor)
M. Smith
R. Stuchbury
M. Try
W. Whyte (Chairman)
Also Attending: Cllr. D. Isham
Ms. A. Wilson (Town Clerk)

For the Town Clerk Mrs K.W. McElligott

APOLOGIES FOR ABSENCE

Apologies were received and accepted from Councillors G. Loftus and Mrs. P. Stevens.

5301 DECLARATIONS OF INTEREST

Cllr. Hirons declared an interest in Agenda 8.5, Vodaphone mast, as he had been in contact with the same company re the possible location of equipment at the Church.

5302 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 9th February 2009 to be placed before the Council on 23rd March 2009 were received and agreed.

5303 ACTION LIST

The Action list had been circulated with the agenda.

5280.1 Dark Alley

Correspondence received that day was circulated at the meeting. Discussion was postponed to later in the meeting (Minute 5306.4, Enforcement).

5298.3 Bridge Street site

The developer and AVDC had agreed on the suggested Candleford Court.

5298.4 Mr. Darke

A copy of a letter from Mr. Darke to Mr. Barker at Planning North had been received.

Members decided on no further action unless Mr. Barker got in touch.

5304 PLANNING APPLICATIONS

The following planning applications were received and discussed. –

08/02608/APP

SUPPORT

22 Nelson Street

Single storey rear extension

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

09/00114/APP

SUPPORT

46 Moorhen Way

Single storey rear extension and conversion of loft for residential use by raising roof level and insertion of roof lights.

09/00189/APP

SUPPORT

Buckingham Primary School, Foscott Way

Single storey infill rear extension [*Junior School*] and rear extension [*Infant School*]

09/00209/ACL

SUPPORT

10 Martin Close

Certificate of proposed lawful development in respect of demolition of existing sun lounge and erection of single storey rear extension

09/00229/ATP

PARTIAL SUPPORT

Waglands Garden

Works to trees

Members opposed the work to the Yew and Holly (T2 & T3 on the application) but supported all the other works listed.

09/00267/ATP

OPPOSE

Oakwood, 6 Manor Gardens

50% Crown reduction of No.1 Ash and felling of No.2 Ash

Members opposed pending the arboriculturalist's report; should the No.2 tree indeed prove to be unsafe, Members would support the felling.

The following minor amended plans are available for Members' information only:

08/02842/APP 7 High Street Change of use from A1 retail to D1 (Dental Practice)

Amended Design and Access Statement (the site is no longer "within easy walking distance of the Fulham Palace Road").

5305 PLANNING CONTROL

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

APPROVED

07/03386/APP* 3 Pateman Cl.	Erection of summerhouse (retrospective)	Noted
08/02489/APP 20 Hilltop Ave.	Replacement of wall with closeboard fence	Oppose
08/02957/APP Hilltop, Gawcott Rd.	Single st.side extn. & porch to ancillary bldg	Support
09/00048/ATC Walnut Yard	Fell 2 larches	No decision

* Application Number is correct

REPORTS TO DEVELOPMENT CONTROL

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

08/02845/APP 1 Mallard Drive	Re-roof with 55° pitch with two front dormers
TPO No.15 2008	– to consider objection by property owner to order made on cedar at 29 Moreton Road
TPO No.16 2008	– to consider objection by developers to order made on land to S. of A421/E of A413

5306 PLANNING - OTHER MATTERS

5306.1 (5300) To discuss the name and remit of the Committee and recommend changes to the Terms of Reference

The Chairman had circulated suggested changes at the previous meeting.

Members discussed changing the name to reflect the different aspects of planning such as transport matters and infrastructure. The following changes were agreed (*in italics*)

TERMS OF REFERENCE – PLANNING COMMITTEE

1. The Committee shall be known as the PLANNING COMMITTEE.
2. The Committee will have the delegated authority to make responses on behalf of Buckingham Town Council to Planning Applications received from AVDC and BCC.
3. The Committee will consider all aspects of Planning ~~within the Parish~~ *which impact on Buckingham* and make recommendation to Full Council for wider issues and in matters of major public interest.
4. *The Committee should consider all aspects of transport including – but not limited to – roads, public transport in relation to planning applications, forward planning, and county and regional consultations.*
5. *The Committee will monitor planning enforcement issues.*
6. *The Committee will undertake regular reviews of the Buckingham Plan not less than annually.*

7. Any Member of the Town Council who is not a member of the Planning Committee may attend and at the Chairman's discretion speak to any application.
8. In the event of an inquorate meeting the Chairman, Vice-Chairman and the Mayor agree a response, either by re-arranging the meeting or, should time not allow, agree a decision in line with Council Policy and planning history. Should one or all of the designated Councillors not be present or available then those present, numbering not less than three, shall agree a response.
9. The Tree Sub-committee will work within the Planning Committee Terms of Reference.
10. The subcommittee will report its response to an urgent tree application to the immediately following Planning Committee meeting.

Proposed by Cllr. Whyte, seconded by Cllr. Stuchbury, and RECOMMENDED that the Terms of Reference for the Planning Committee as above be adopted.

5306.2 (5297.1) To receive an update on the Buckingham Plan and discuss any matters arising from the preceding Interim Council meeting

2.1 The Chairman had sought quotations from 4 companies for the printing of the Plan document; two had responded, one declining to quote.

Proposed by Cllr. Stuchbury, seconded by Cllr. Try, and **AGREED** unanimously that the only quotation be accepted @ £714 for 100 copies minus £50 for inclusion of printer's byline.

2.2 Free copies will be distributed to all stakeholders, Town Councillors, Library, AVDC and BCC. Members discussed the price to be asked for remaining copies.

Proposed by Cllr. Try, seconded by Cllr. Mahi, and **AGREED** unanimously to price the Plan document at £10.00 plus post and packing.

A restricted download facility from the website would be investigated.

ACTION CLLR. TRY

2.3 Annual Town Meeting: it was agreed to have copies of the Executive Summary available and A3 or A2 display material/posters.

5306.3 (5297.3) To receive a report of the NBPPC meeting held on 11th February 2009 and the response re Winslow Green

Notes of the meeting and the draft response re Winslow Green had been circulated with the agenda.

Cllr. Hirons added that it may be that the current major development applications at Buckingham, Winslow and Leighton-Linslade, which are all contrary to the AVDLP, would go to appeal together if AVDC refused them. If AVDC lost on appeal, all three developments could then go ahead.

Cllr. Hirons was thanked for his report.

(5297.1.1) It was noted that both Cllr. Paternoster and Cllr. Cartwright had responded that they were unable to discuss any issues relating to the Core

Strategy document. Members felt this failed to promote democracy, and asked the Clerk to reply, copying the letter to the four District Councillors.

Postponed from previous meeting:

5306.4 (5288.4) To discuss the effectiveness of Planning Enforcement

Members noted (re Waitrose cycle racks) that AVDC "can not insist on the total implementation of the approval, but we can try encourage the completion of the project". Members had been also circulated at the meeting with a letter from the Chief Executive's Office re Dark Alley; "... Fences and gates can normally be erected without needing planning permission (subject to some height and location restrictions). In this case however a condition on the planning permission (condition 12) removed a number of these "permitted development" rights, including the right to erect fences and gates. ...Whilst the gate/fence represents a technical breach of the condition, it does not have a negative impact on the amenities of the area and nearby residents to the point where we could justify taking enforcement action. Whilst the application drawings showed a reference to an alternative public route through the development, this cannot be required or enforced through planning powers, and its absence is not a breach of planning control."

Members decided that enforcement should be a regular agenda item and reports sent to AVDC chased until a response was received.

The Town Clerk was asked to provide details of the statutory requirements and the optional conditions in the matter of planning enforcement.

ACTION TOWN CLERK

5306.5 To receive a report on Second Buckinghamshire Local Transport Plan (LTP2) Progress Report 2008 and associated studies.

The Clerk had circulated a summary report, and the detailed list of comments and responses.

Members found the responses bland and dismissive. The AV Transport Users Group had not been included.

Parking Management was considered satisfactory in Aylesbury Vale; Members disputed this both on management and availability grounds.

There was no mention of cycling provision or the upgrading of the A421 outlined in the MKSM study.

Although the consultation had closed, Members asked that a letter be sent with the above comments, and that the Town Council and Transport Users Group be included in future consultations.

5306.6 To receive reports on

6.1 AV LDF Core Strategy Rest of District Preliminary Flood Risk Screening Study

6.2 AV LDF Core Strategy Rest of District Preliminary Flood Water Cycle Screening

The Clerk had circulated summary reports.

Concern was expressed at the lack of capacity in both water supply and sewage disposal services, and the inaccurate flood map used in the report. The documents had been based on a maximum number of 1260 new houses and this was not as yet fixed.

Members asked that their concerns be passed to AVDC.

ACTION THE CLERK

5307 CORRESPONDENCE

5307.1 08/02463/APP 21 Plover Close; two storey rear extension

Members had **OPPOSED**: Members noted that a window faced the neighbouring property and asked if the 45° rule had been breached.

AVDC had **APPROVED**: “The proposal included one first floor side window facing north which would serve a bathroom. A condition was imposed on the planning permission for this to be permanently fixed shut and obscurely glazed. The extension would project 4.3m from the rear building line at ground floor level, reducing to 3.2m at first floor level. The extension would accord with the 45 degree rule for the both the side neighbouring properties.

It was considered that the extension would have an acceptable impact on the amenities of the neighbouring properties in accordance with policy GP8 of the AVDLP.”

5307.2 08/02860/ATC Land to rear of Market Hill/West Street; works to and removal of trees to facilitate archaeological investigation trenches

Members had **OPPOSED**: Members discussed the application at some length. It was felt that – as there were no evident plans for development at this stage – the trenches could be sited so as not to require any works to trees or felling.

Concern was also expressed that any development of this land could prejudice an integrated development of the whole site behind Market Hill as outlined in the Planning and Design Guidelines document produced by AVDC in April 2007.

Members hoped the tree officer had visited the site to consider if any of the other trees merited protection. There was no accompanying tree surgeon’s report.

Members called for a recorded vote....

Members asked that the Town Council’s views be represented to the AVDC Planning Committee, drawing attention to the existence of the Planning guidelines for the whole area for the benefit of any new Members. The letter would be copied to any Buckingham District Councillors not on the Committee.

AVDC had **APPROVED**: “The trees on the site have been surveyed and Tree Preservation Orders served on those of better value. The Council’s tree officer is satisfied that the proposed works can be carried out without detriment to the protected trees. It is considered the trees to be felled have low amenity value and, as such, it is not considered the proposed felling of these trees would harm the characteristics of the Conservation Area.”

5307.3 09/02206/APP 54 Well Street. Change of use of adjacent land to inclusion within residential curtilage

Members had **OPPOSED** on the grounds of loss of amenity and visual impact the height of the fence would have on the open aspect of the courtyard.

AVDC **APPROVED**: “In the application the applicant described how intermittent wooden posts, approx 6-9” high with chain link fencing would be erected or if this was not installed a discreet sign would be erected saying ‘private parking’. The applicant subsequently clarified that the land would be kept open with no fencing and that it had in fact been used for parking for over 13 years. On this basis Members considered that the development was acceptable and that it would

preserve the character of the Conservation Area and that there would not be a significant impact on residential amenity.”

5307.4 (5270.2) Rest Of District Strategy: Response from Cllr. Sherwell

Cllr. Sherwell had sent details of the motion to Council drawn up by his group at AVDC, and the meeting date. Non-AVDC Councillors would not be able to speak at the meeting so Cllr. Sherwell been sent the notes of the meeting with AVDC Forward Plans, and the subsequent minute 5297.1.1 so that he had the Town Council's views.

Cllr. Sherwell would be asked for feedback on the 25th February meeting, and the District Councillors to represent Buckingham's views at the Cabinet meeting on 24th April.

5307.5 Harlequin: Proposed Vodaphone mast adjacent to Tesco, London Rd./bypass junction

Members suggested that, to avoid spoiling the verge, the company be asked to look again at co-location on the Benthill mast, or a site in the lorry park at the Travelodge.

ACTION THE CLERK

With the Members' and Clerk's agreement the meeting continued past 10.00pm.

5308 NEWS RELEASES

5308.1 Re Core Strategy, the response from AVDC and the lack of discussion opportunities.

5308.2 The publication of the Buckingham Plan, launch at the Annual Town Meeting, and the provision of free copies to stakeholders.

5309 CHAIRMAN'S ITEMS

There were no Chairman's Items.

Meeting closed at: 10.12pm

CHAIRMAN DATE

It was **RESOLVED** to agree these minutes at the full Town Council Meeting held on Monday 23rd March 2009 subject to the Terms of Reference being deferred for further discussion to enable consideration of a motion submitted to the Town Council Meeting by Cllr. Lehmann with regard to substantial development that will impact on the town being discussed by Full Council and not by the Planning Committee. This discussion will take place on the 11th May 2009 at the next full Town Council Meeting.

Anne Wilson
Town Clerk