

PL/13/21

Minutes of the **Planning Committee** meeting held on Monday 4th April 2022 at 7.00pm in the Council Chamber, Town Council Offices, Cornwall's Meadow, Buckingham

Present:

Cllr. M. Cole JP	Chairman
Cllr. F. Davies	
Cllr. M. Gateley	Town Mayor
Cllr. J. Harvey	
Cllr. A. Mahi	
Cllr. L. O'Donoghue	
Cllr. A. Ralph	Vice Chairman
Cllr. R. Stuchbury	
Cllr. M. Try	

Also present:

Mrs. C. Cumming	Co-opted member
Mr. P. Hodson	Town Clerk
Mrs. K. McElligott	Planning Clerk

PUBLIC SESSION

Mr. Dane Tuttlebee addressed the Committee on the subject of 22/00797/APP, an application by his next-door neighbour. He listed his objections as: obstruction of his view of the road when pulling off his forecourt; danger to children who were accustomed to play outside, and the many older people who lived in the bungalows; high fences were not in keeping with the front boundary treatments in the Crescent, which were a low brick wall, hedge or fence; taking the light from his house, contrary to the deeds, which he quoted (see below). In answer to a question, he said that he would be content with a fence if it was the height of the previous boundary, which would allow clear vision each way of anyone on the footpath or the road before he pulled out of his drive.

Mr. Tuttlebee then left the Chamber.

Committee meeting started at 7.10pm.

781/21 Apologies for Absence

There were none.

782/21 Declarations of Interest

Cllr. Stuchbury noted that he would not be voting on any of the applications, as a member of the Buckinghamshire Northern Area Planning Committee.

783/21 Minutes

Members received the minutes of the Planning Committee Meeting held on Monday 7th March 2022 and put before the Full Council meeting held on Monday 28th March 2022.

784/21 Buckingham Neighbourhood Plan/Vale of Aylesbury Plan

Members received the notes of the Neighbourhood Plan Working Group meeting held on 23rd March 2022. Cllr. Harvey noted that his name had been omitted from the apologies list.

Cllr. Stuchbury recommended contacting Highways for details of their own future strategy, so that time was not wasted with proposals contrary to the County's plans.

785/21 Action Reports

Members received the action report.

Oddfellows Hall; Cllr. Cole reported that application 21/00479/APP, variation of position of windows in the roof, had been approved on 1st April. The window position had been moved slightly upwards. It was felt that the many complaints from the neighbour about the work on the building had been ignored.

Care Home access (729/21): Cllr. Harvey reported that a kerb had been installed by the ticket machine, in addition to the temporary access to the bridge from the end bank of parking bays and the restored former access point. The kerb is parallel to the end parking bay, and bounds a tarmac footpath from the former access to the car park entrance and protects users of the ticket machine from traffic in the car home entrance. Neither end is directly opposite the dropped kerb on the Community Centre side. The recycling containers now occupy bays 1 & 3 at the car park entrance with the temporary path emerging from bay 2 with limited vision of vehicles leaving the car park.

Members decided that it was reasonable to find out the long-term plans for this area and meanwhile to monitor use. **ACTION PLANNING CLERK**

785.1/21 (603/21; 19 Bridge Street decision) to receive and discuss the officer's reply:

The Highways Development Manager had reviewed the highways consultation response and found it valid; there were no accident statistics linked to the Bourton Road/Chandos Road/Ford Street junction with London Road/Bridge Street and though Highways had recommended that the access be upgraded the Planning Officer did not have to act on this, and a recommendation for refusal would not have been defensible.

785.2/21 (401.2/21) West End Farm archaeology:

Cllr. Stuchbury reported that progress was being made, and he was optimistic that he would have more definite news for next meeting. He asked that a letter be sent to the officer, thanking her for the amount of work put in to achieve this.

ACTION PLANNING CLERK/MAY AGENDA

785.3/21 (398.2/21) To receive for information the Highway Obligations pages from the Walnut Drive s106 agreement, and note the subsequent Approval.

Cllr, Cole outlined the amendments and corrections written into the document, noting particularly the re-siting of the cycleway crossing to Stratford Road near the football clubhouse, and the area to be kept clear to allow buses to turn out of the bus stand into the High Street.

Maids Moreton/Foscote were reviewing the document and decision and considering the next move.

Cllr. Harvey wondered why the application had not been called back to Committee as the three Ward Members had requested; Mrs. Cumming said that legal advice had been that the wording could be interpreted to allow officer decision.

Cllr. Stuchbury voiced his concerns that the Constitution permitted referral to Committee to be taken by one elected Member only (the Chairman) and the Business Manager, and that this was likely to occur again for Moreton Road Phase III.

Cllr. Stuchbury left the meeting briefly during the next item.

786/21 Planning Applications

For Member's information the next scheduled Buckinghamshire Council – North Buckinghamshire Planning Area Committee meetings are on Wednesdays 6th April

and 4th May 2022 at 2.30pm. Strategic Sites Committee meetings are on Thursdays 21st April and 12th May at 2pm.

Members responded to planning applications received from Buckinghamshire Council (Cllr. Stuchbury abstaining from all votes). Additional information was provided by the Clerk.

22/00663/APP

OPPOSE

23 Deerfield Close, MK18 7ET

Householder application for erection of a single storey rear extension *Members felt the proposed extension was over-large for the plot, and could pose a flood risk for the plot to the rear which was at a lower level.*

22/00742/AAD

NO OBJECTIONS

Ring Road Garage, Gawcott Road MK18 1DR

Display of 2N^o totem signs, 1N^o advertisement board, 1N^o freestanding signboard and 5N^o flags (retrospective).

Members noted Highways' conditions.

22/00797/APP

OPPOSE

23 Woodlands Crescent, MK18 1PJ

Householder application for erection of fence (retrospective).

Members noted that the new fence obstructed the neighbour's view of the footpath and the road when emerging from his frontage; that the street scene was of bungalows with low front boundaries, whether the original wall, or replacement fence or hedge, and that this fence was an anomaly both in size and construction; and that many of the (unusually high number of) neighbour comments submitted referred to their title deeds which included a clause restricting any works interfering with the neighbour's amenity.

22/00804/APP

NO OBJECTIONS

12 Bodenham Close, MK18 7HR

Householder application for two storey side extension above existing garage and conversion of garage into habitable accommodation.

Members were concerned that if a third parking space was necessary some of the lawn would be lost with consequent detriment to the street scene, and asked that a permeable surface be required. Grey water recycling, solar panels and an electric charging point were also suggested.

The following two applications were considered together

22/00812/APP

NO OBJECTIONS

12-13 Market Hill, MK18 1JX [M & Co]

External alterations to form new doors and windows to front side and rear elevations.

22/00848/COUAFN

OPPOSE

Determination as to whether prior approval is required in respect of transport & highway impact, noise, contamination risk, flooding and locational considerations for the change of use of upper floors from retail storage (Class E) to 8 dwellings.

Members were under the impression that the new regulations did not apply in Conservation Areas.

The site was located in the market area, and there would be noise early in the morning from the setting up of the market stalls on Tuesdays and Saturdays which would affect flats 5, 6, 7 and 8, as would the regular open-air music events and the

Charter Fair; it would also make waste collection difficult (on Tuesdays). It was assumed that waste would be a bag collection as there was no storage space shown for 16 bins, and in any case 8 bins put out for collection on a market day would be a pavement obstruction. Environmental Health had also noted the noise nuisance likely to Flats 1 & 2 from the outdoor seating area of the adjacent pub/restaurant. There was no obvious safe place to keep bicycles.

There was no information on the construction of the doors to the 'voids' which Members assumed to be a balcony of sorts, at least on the south side; if solid then the bedrooms in Flats 3 and 4 would have no natural light. If the window at the rear of the void in these two flats was the narrow letterbox shape shown on the other side elevation, then the living room would have very little natural light necessitating daytime use of electricity, and the 'view' was presumably the inside face of the existing brick wall, to the detriment of the residents' amenity and quality of life. It was also noted that a reason for refusal of the previous application (20/02752/APP) was that insufficient information on disposal of surface water had been submitted, and that no comments from SuDS were available at the date of the meeting.

Members felt that they should oppose the application until more information on the following matters was made available to them:

- 1. Noise nuisance*
- 2. Refuse collection*
- 3. Cycle storage*
- 4. The nature and purpose of the voids, the size of the windows and construction of the door(s), especially for Flats 3 & 4; whether the outside wall of the voids in Flats 3 & 4 was in fact to remain brick, and if so, what the expected natural light levels in these flats were*
- 5. Whether SuDS were now satisfied that surface water could now be disposed of adequately (the application for 22/00812/APP was marked 'No' under 'Are you proposing to connect to the existing drainage system?')*

Members might be minded to change their response to No Objections if satisfactory answers were received.

22/00939/APP

NO OBJECTIONS (see comment)

90 Moreton Road, MK18 1PW

Householder application for part two, part single storey side and rear extensions

Members noted that the extension roof ridge was not clearly subsidiary, per guidelines, but was at the rear of the building so less noticeable.

Amended Plans (referred from Full Council 28th March 2022, Min.772/21)

20/00510/APP

OPPOSE (NO CHANGE)

Land West of Moreton Road and Castlemilk [Moreton Road Phase III]

Erection of 130 dwellings, associated access and parking, landscaping, and amenity space and the change of land from agriculture to use for sports pitches/recreational open space and informal open space

Cllr. Cole summarised the history of development on this site and noted changes and lack of changes in these amended plans. There was still no acknowledgement of the Buckingham Vision & Design SPG, nor any updating of the Travel Plan. Members discussed the amendments in some detail, listing the following points:

- *That although this development is outside the Buckingham Neighbourhood Plan housing development envelope, and conforms with the revised Vale of*

Aylesbury Plan, it is still within the town boundary, and the Council expects the developer to comply with other policies of the made BNP.

- The travel and traffic documents need to acknowledge the cumulative effect of vehicles from this site and the 170 houses recently given approval at Walnut Drive (16/00151/AOP) on the junction at the Old Gaol, especially as use of Mill Lane to access the A422 is being discouraged*
- The Travel Plan needs to acknowledge that mode transfer is less likely if there are no bus services past the site at times useful to working residents or school pupils, and also that the Moreton Road is not 'gentle topography' as described and few residents will be willing to carry shopping up it, or be able to if they have health or mobility problems, as the residents of the ground floor flats are likely to be*
- That the feasibility of installing a cycle lane on the Moreton Road is doubtful; the existing cyclepath/pedestrian route as illustrated does not extend beyond the site boundary of Phase I*
- That this Council opposes shared-surface streets on parking and safety grounds*
- That the Phase I streets are not adequate to the additional traffic generated by 130 more houses or easy passage for emergency vehicles*
- That the designs be amended further to reflect the Buckingham Vision & Design SPG – no concrete tiles, chimneys on all houses, some use of render amongst all the brickwork, brick colours relevant to the area, some variety of door style and colour*
- That no Affordable Housing has a garage, which is contrary to the principle of 'tenure blindness'*
- That with the increasing number of women and girls playing rugby the lack of changing facilities for the new pitches is serious, as is the provision of only 10 parking spaces for two pitches, implying a minimum of 60 players requiring transport*
- That with the steeper roof pitch the Gardens Trust request for wireframe outlines on the photo views is more important than ever*

Members would like reassurance as follows:

- That the Town Council will be consulted on the s106 at an early stage (ie when it can be revised)*
- That the s106 will include monies for local health provision as we have had approvals for 820 houses in the last few years with nothing allowed for extension of the provision to cover the increased population*
- That there will be street lighting, including in the public open space area*
- That broadband will be installed to all dwellings before occupation*
- That all (ie including the Affordable) housing will have provision for grey water recycling, solar panels on inward-facing roof slopes and electric car charging points*
- That post box provision will be installed, per the Royal Mail's standard (a post-box within half a mile of at least 98% of all 'delivery points' (usually a customer's letter-box))*
- That the SuDs officers are aware that the ditch along the southern boundary is prone to regular flooding, as the residents of Bradwell Avenue will attest; Moreton Road was mentioned 9 times in the December 2020 s19 flood report*
- That terraced houses with particularly long bin haul distances/paths at the rear (eg plots 97 & 100) are provided with neat bin store sheds at the front; otherwise*

bins will not be returned to the rear of the premises each week after emptying and give a cluttered aspect to the street scene. BC Recycling & Waste Team mandates a maximum of 25m that residents should have to haul two-wheeled bins

- *That Buckinghamshire Council is willing to adopt block paved roadways as it looks as if all roads 'for adoption' are paved; if not adopted the constant maintenance required will be a charge on residents, as has happened at Lace Hill.*
- *That this Council would favour a speed limit of 20mph through all three phases of this estate*
- *That this Council requests that enough pavements are provided to allow children from the whole estate to access the playground and BMX track safely; a hoggin path in the wooded fringe is not suitable for – for example – small-wheeled bikes, ride-on toys and prams*
- *That expert advice will be taken on the layout and materials for the BMX track, which appears to have been formed from a collage of catalogue illustrations with no knowledge of what constitutes a Pump track. Pump tracks should also be usable by and accessible for wheelchair users.*

Not for consultation

Members were asked to note that none of the document lists for the following applications contained an application form; that for 22/00694 still had no documents whatever at 29/3/22.

22/00632/ATC

1 Salisbury Cottages, Bath Lane, MK18 1DX

Bramley Apple: crown reduction of 1.5m to prevent contact with power lines that run directly above tree

Parsonage

NO OBJECTIONS

22/00694/ATC

Well House, 35 High Street, MK18 1NU

(Species not given) Reduce crown height and width by 25% which is approx. 2m to even out the tree. Remove Ivy.

Thirlby

NO OBJECTIONS

22/00929/ATC

Chandos Park, Chandos Road

CHS0270 Lime Tilia, Structural Pollard. Reduce Height by 50% and remove any branches from overhanging neighbouring property.

CHS0271 Sycamore Acer pseudoplatanus Fell and Remove due to storm damage. Re-plant with suitable species away from boundary.

CHS0272 Sycamore Acer pseudoplatanus Crown Reduction. 30% crown reduction – removing as much as possible away from neighbouring property. Remove all dead wood, ivy and any damaged stems (pest damaged).

CHS0264 Crack Willow Salix fragilis Pollard Re-pollard to last growth point – remove any damaged or diseased stems.

CHS0265 Crack Willow Salix fragilis Pollard Re-pollard to last growth point – remove any damaged or diseased stems.

Phillips (Buckingham Town Council)

NO COMMENTS (BTC APPLICATION)

787/21 Planning Decisions

787.1 Members received for information details of planning decisions made by Buckinghamshire Council.

Approved

Application	Site address	Proposal	BTC response
21/02819/APP	37 Well Street	S/st. & 2-st. rear extensions and insertion of gate in side boundary wall	Oppose ¹
21/03808/APP 21/03809/ALB	Rose Cottage, Bourton Road	S/st extension, new windows, internal alterations	No Objections subj.HBO
21/04475/APP	Wipac, London Rd	New storage units	No Objections
21/04489/APP	17 Westfields	S/st rear extension (amendment to approved 20/04055/APP)	No Objections
21/04696/APP	Chicana, 2 Avenue Road	Rear and side extension and associated works	No Objections
21/04875/APP	5 Bushey Close	Replace detached garage, porch & conservatory with 2-st. side and s/st. rear extension & new side porch	No objections
22/00071/APP	10 Aris Way	S/st. side and rear extension	Oppose ²
22/00188/ALB	Lloyds Bank, 19 Market Square	Replacement external ATM	No Objections
22/00481/ COUOR	Chewar House, Market Hill	To determine if prior approval is required for change of use from Class E to mixed use including Class C3	No objections

¹Members opposed the proposed gate, which was out of keeping and would have required the removal of a mature holly tree. The gate proposal was deleted from the application, and only the extensions approved.

²Members objected to the flat roof on the extension; the officer commented: Whilst the flat roof design is not in keeping with the roof of the existing dwellinghouse as noted in the comments received from Buckingham Town Council, given the location of the proposed extension to the side/rear of the property and set-back out of view from the public realm in this instance the flat roof design is considered to be acceptable.

Approved (not in our parish)

Application	Site address	Proposal	BTC response
16/00151/AOP	Land off Walnut Drive, Maids Moreton	Outline application for up to 170 dwellings and associated infrastructure	Oppose & Attend

Withdrawn

Application	Site address	Proposal	BTC response
22/00254/AAD	25 Moreton Road	Wall mounted sign [not illuminated] ³	No Objections

³Heritage Officer said the sign did not comply with the relevant VALP heritage policies BE1 & BE2, but gave guidelines for an acceptable sign should the applicant wish to re-apply.

Not for consultation

Approved

Application	Site address	Proposal	BTC response
22/00070/ATP	20 Waglands Garden	G1 Thuja hedge – reduce to previous points; 1m off top and trim sides	No objections
22/00274/ATC	Stowe Avenue	10-yr maintenance plan – lift limbs and reduce epicormic growth to clear footpath	No objections

4th April 2022

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PUBLIC SECTOR EQUALITY DUTY 2010/CRIME AND DISORDER ACT, 1988: the decisions made during the course of the meeting were duly considered and it was decided that there were no resulting direct or indirect implications in respect of crime and disorder, or equalities considerations, other than those stated in the minutes.

Initial.....

22/00287/ATC	20 West Street	Holly – fell (too near building) Apple – remove ivy and prune	No objections
22/00315/ATP	6 Villiers Close	Crown lift/reduce 1 Beech, 2 Horse Chestnut, 1 Oak	No objections
22/00348/ATC	Lido Romeo, 12 Bridge Street	G1 – self set Sycamore & Cherry group Remove 3 trees to tidy area	No objections

Withdrawn

Application	Site address	Proposal	BTC response
22/00635/ATP	Royal Latin Sch.	Fell 1 Larch – internal decay.	None made. Approval not necessary (see 12.4 below)

787.2 Planning Inspectorate

An appeal has been lodged against refusal of 21/01491/ALB, 32 Nelson Street, MK18 1DA

Proposal: Internal works and external render and paintwork

Members' response (24th May 2021) was "No Objections subject to the satisfaction of the Heritage Officer."

Members decided that they had no additional comments to send to the Inspector.

788/21 Buckinghamshire Council Matters

788.1/21 Members received news of Buckinghamshire Council new documents and other information from Buckinghamshire Council Members present. Cllr. Stuchbury reported that he had a verbal response on the Railway Walk cycleway at the Cabinet Meeting, and was promised a fuller written reply; the Mayor and Cllr Cole to agree on a response when received, emphasising the aim of a traffic-free route for schoolchildren from the estate. Poverty was becoming a big issue in the County. Discussions were on-going with the Swan Practice and the development of Lace Hill Medical Centre.

788.2/21 Osier Way (Min 723 refers): Members received and discussed the notes taken at a meeting Cllr. Stuchbury held with Wates and their agent. Cllr. Stuchbury explained he had arranged the meeting as a Shire councillor following the approval of the application. He found them fiscally driven rather community-minded. There was a suggestion that off-site s106 provision be used to expand the Embleton Way community site (currently used by the Scouts) but there were restrictive covenants on the land, and it was physically separated from the housing by the bypass. The actual housebuilding was to be devolved to a firm called Vistry. He felt the s106 should be drafted to favour Local Authority administration, rather than assume a management company would do it all (including the Biodiversity aspects), as Northants and Oxfordshire do, which worked very well at the Berryfields development. The Town Clerk already had authorisation to open discussions. Cllr. Cole expressed concern that with regard to the possible use of a building at Embleton Way, the developer had stated during the meeting that 'we deal with restrictive covenants all the time, there are ways to get round them.'

ACTION TOWN CLERK

788.3/21 An updated list of undecided **OPPOSE & ATTEND/CALL-IN** applications was attached for information.

Noted.

789/21 Buckinghamshire Council Committee meetings

789.1/21 N. Bucks Area Planning Committee
(9th March) *No Buckingham applications*
(6th April) *No Buckingham applications*

789.2/21 Strategic Sites Committee
(10th March) *Cancelled*
(24th March) *No Buckingham applications*
(6th April) *No Buckingham applications*

790/21 Licensing (referred from Full Council 28/3/22, Min. 769/21)

Members received a verbal update from the Town Clerk on the status of the BP Licensing Application. The Town Council and the private citizens had all withdrawn after the hearing due to the possible liability for costs.

791/21 Enforcement

No new breaches were reported, although Cllr. Davies reported that the air-conditioning units on the front of the vets may have been moved there temporarily and would be replaced on the side when work on the Grand Junction was completed.

However, the Clerk was asked to compile a list of cases still undecided (or closed but not so advised) and submit it to Enforcement for updating.

ACTION PLANNING CLERK

792/21 Applications to fell trees

792.1/21 (Min.648 refers) "Year of the Tree 2022" - *postponed from 7th March*
Minute read:

Cllr. Stuchbury questioned whether it would be appropriate for the Planning Committee to consider how best to make recommendations to protect Buckingham's trees and to let the community know that the Town Council are monitoring them. Cllr. Cole noted that this was not on the agenda and proposed that '2022 the year of the tree' would be an agenda item at the next meeting.

The Town Clerk reported that he had a meeting arranged with the relevant manager, and would report to the next meeting.

ACTION TOWN CLERK/MAY MEETING

Cllr. Stuchbury explained that the people of the town should be encouraged to support the retention of mature trees otherwise the landscape in general would be diminished. He was particularly concerned about summary felling demanded by insurance companies.

Cllr. Harvey suggested that:

1. To expect every application to remove a tree to be accompanied by plans to replace it with six trees in a suitable site (not necessarily the same as the application site).
2. To declare Buckingham a 'Love Tree Zone'.
3. To invite a representative of an insurance company to a meeting to explain why they recommended felling rather than underpinning, if cracking was the problem.
4. The Council join the Woodland Trust, if that was possible.

Members discussed Cllr. Harvey's ideas; the Town Clerk thought that #4 would not be possible, but if it was, on investigation, it was a matter for Full Council to decide. #1 and #3 (motion seconded by Cllr. Davies in both cases) were agreed. Mrs Cumming asked if the Town Council had a suitable piece of land to start a woodland on; the Town Clerk was doubtful.

#2: Cllr. Harvey recommended, Cllr. Stuchbury seconding, and agreed 8-0, 1 abstention, that the proposal for a 'Love Tree Zone' be taken up by the Environment Committee.

ACTION ENVIRONMENT COMMITTEE
ACTION PLANNING CLERK

A press release was agreed.

792.2/21 Members receive an updated list of felling applications.
Noted.

792.3/21 To note for information that three of the Lombardy Poplars at Bernardines Way (on the University boundary) are to be felled as they are in an unsafe condition. Replacement planting will be carried out in the autumn (Buckinghamshire Council)
Noted.

792.4/21 To note for information that the Royal Latin School intends to fell a Larch in the corner of its land by the Station Road car park. They applied for approval under the impression that the tree was Protected. It is not, neither is it in the Conservation Area, so permission is not required. The internal decay of this tree was reported in their December 2015 Tree Survey. (Ms King, Royal Latin School)
Noted.

793/21 S106 Quarterly update - postponed from 7th March

Members received and discussed the quarterly update.

Mr. Rowley also reported that discussions are on-going re the use of the balance remaining for Stratford Fields Car Park.

794/21 Matters to report

Cllr. Stuchbury was concerned at the delays in repairing the bypass road surface, especially between the Bletchley Road roundabout and Badgers access, and near Aldi. The longer it was left, the more difficult repairs would get.

Cllr. Davies reported that yellow lines on West Street had been painted across the potholes, and were not Conservation Area standard.

795/21 Chairman's items for information

The Chairman reported that the Stowe road closure from April 4th-7th was no longer taking place, because filming there had been postponed.

796/21 Date of the next meeting: Monday 9th May 2022 following the Interim Council meeting.

Meeting closed at 9.10pm

Chair

Date

4th April 2022

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