

Minutes of the **PLANNING COMMITTEE** meeting held on 27th July 2015 at 8.00pm following the Interim Council meeting in the Council Chamber, Town Council Offices, Cornwalls Meadow, Buckingham

Present: Cllr. Mrs. J. Bates
 Cllr. M. Cole
 Cllr. J. Harvey
 Cllr. P. Hiron (Chairman)
 Cllr. A. Mahi
 Cllr. Mrs. L. O'Donoghue
 Cllr. M. Smith
 Cllr. Mrs. C. Strain-Clark (Vice Chairman)
 Cllr. R. Stuchbury
 Cllr. M. Try

Also present: Mr. I. Orton (co-opted member)
 Mrs. C. Bolton (Committee Clerk)

For the Town Clerk: Mrs. K. McElligott

275/15 Apologies for absence

Apologies were received and accepted from Cllr. Isham, and Cllr. Stuchbury for late arrival.

276/15 Declarations of interest

Cllr Mahi declared a personal interest in Planning Application 15/02125/APP Domino's Pizza.

277/15 Minutes

The minutes of the Planning Committee Meetings held on Monday 29th June 2015 (PL/03/15) and Monday 6th July 2015 (PL/04/15) to be put before the Full Council meeting to be held on 17th August 2015 were received and accepted. There were no matters arising.

278/15 Buckingham Neighbourhood Development Plan

To discuss any details of publicity for the referendum following the discussion at the preceding Interim Council meeting.

Members held a discussion about how to encourage the electorate into voting on the Buckingham Neighbourhood Plan's referendum, in view of all the hard work, workshops, consultation, submission and inspector's approval of the Plan. Councillors discussed how the Buckingham Society could help to formulate and run a positive publicity campaign. Members also agreed that many of the local organisations could get involved in supporting the referendum process. It was **AGREED** that Mr. Orton of the Buckingham Society would convene a meeting with the Town Council and interested parties. It was recommended that Roy van der Poll from Winslow Town Council also be invited to the meeting.

ACTION: MR. ORTON/CLLR. HIRONS/PLANNING CLERK

279/15 Action Reports

279.1 To receive action reports as per the attached list.

Noted

279.2 (136.1; Amended Plans & other variations) response from Mrs. Kitchen

Members were dissatisfied with Mrs Kitchen's response.

Councillor Smith commented that had, as quoted in page 2 of Mrs Kitchen's letter, "The Courts have held that the change in external appearance had to be judged for its materiality in relation to the building as a whole, and for a change to be material it had to be significant, of substance and consequence", the Candleford Court development would not have been allowed to be built.

Members asked the Planning Clerk to write back to Mrs Kitchen and request more information on procedure and the impact of cumulative minor amendments.

ACTION: PLANNING CLERK

279.3 (211/15; signage reduction) To receive an email via Cllr. Stuchbury
Councillor Smith updated Members saying that the project now had partial go-ahead and he was waiting to speak to Freya Morris's replacement. The Planning Clerk would send contact details to Councillor Smith. **ACTION: PLANNING CLERK**

279.4 (46.3/15: Church St. lamp post) to receive a response from TfB

Members suggested mounting the lamp post on the wall of Walnut Yard.

279.5 (212/15: Questions to Cabinet) to receive any written reply via Cllr. Stuchbury
Question submitted by Cllr Stuchbury:

In light of the replacement without consultation or warning notice of the ramped pedestrian access between Cotton End and the London Rd, Lace Hill, Buckingham installed per the approved drawings, with a stepped ramp and handrail, how does the Planning Authority feel that this complies with s149 of the Equality Act 2010 which puts a duty on Councils to eliminate discrimination, advance equality of opportunity and foster good relations between those with disabilities and those without?

Furthermore, what processes are in place to avoid similar breaches of this Act in the future?

Response:

The original planning permission for this development at Lace Hill in Buckingham indicated a pedestrian link from the development onto London Road near what is now named as Cotton End. Given the level differences between London Road and the site itself, the access has been provided as a stepped access, as a ramp would have been too steep and un-useable at this point. Whilst it is accepted that this would be the quickest route for the residents in Cotton End to get onto London Road, there are alternative accesses onto London Road for pedestrians along the estate roads, who are not able to utilise the stepped route.

There had been a temporary level access provided further to the south; this was in a different position to that approved and the applicants have removed this following complaints from nearby residents. Where there is a large difference in levels on a site there is no requirement to fully meet the Equality Act 2010 and therefore there is no breach of the Act and we cannot insist on this temporary access being re-instated.

I am aware however that our officers are still pursuing discussions with the developer and Bucks County Council highways officers to see if there is an alternative level access to resolve the concerns raised.

Members were extremely dissatisfied at AVDC's response and felt the suggested alternative of using alternative estate exits was not a satisfactory solution. Members felt the 'difference in levels' was by no means 'large' and that residents had a right to expect what had been originally planned by the developers. The stepped ramp was wholly unacceptable; people with mobility issues could not always simply go to another point of access. Members wanted AVDC officers to look at the possibility of a zig-zagged ramp and to do far more than dismiss the

provision of a stepped ramp as a closed matter; the developers should be pursued to satisfy ALL parties.

The Planning Clerk would write to Susan Kitchen, copying in Mr Iffy Ali, Monitoring Officer.

ACTION: PLANNING CLERK

280/15 Planning Applications

The following two applications were considered together:

15/01348/APP & 15/01349/ALB

NO OBJECTIONS

1 Ford Street

Conversion of a two storey barn/garage into living accommodation

Members had no objections providing the Flood Risk Assessment proved acceptable to the EA.

The following two applications were considered together:

Connells, 23 Bridge Street

15/01798/AAD

OPPOSE

Internally illuminated fascia sign and projecting sign

15/01799/ALB

OPPOSE

The erection of one No. fascia sign and one No. projecting sign as direct replacements for the existing shop front signage

Members agreed with the HBO that the proposed signage was not "direct replacements" for the existing and supported her recommendation.

The only previous signage application found by the office was for a projecting sign (74/00470/AV); the quoted 90/00206/ALB is indexed under 23A Bridge Street and not linked under Related Cases.

15/01968/ALB

NO OBJECTIONS

International Management Centre, 13 Castle St

Internal alterations and painting south elevation to Elm Street

15/02125/APP

OPPOSE & ATTEND

Willen Hospice Shop, 2 Bridge Street

Change of use from a charity shop (Class A1) to a hot food takeaway (Class A5); installation of extraction/ventilation equipment and alterations to the shopfront.

Members noted that this building is not Listed, but is attractive and an asset to the street scene. Concern was expressed at the proposed loss of the distinctive double door.

The principal criticisms of the scheme were

- *the proximity to the zebra crossing*
- *the lack of any parking for inward deliveries (there are four car spaces in the layby in front of the White Hart, and these are rarely empty), customers, or pizza delivery vehicles.*
- *BCC's response assumes the majority of the traffic generated by the change of use would be in the evening, and that this would not be significantly more than at present. The (legitimate) parking close by the site is effectively the White Hart layby, which is used by its clientele and that of the off-licence in the evening, and the pay-and-display area behind the White Hart. Members considered that few customers picking up a pizza would use a pay car park. The alternatives are yellow lines or the crossing zigzags. Members considered there would be a serious risk of casual parking on the pavement outside to the detriment of pedestrian usage.*
- *The proposed opening hours are 11am to 11pm; if a commercial enterprise opens during the day it is expecting to do reasonable business. Earlier in the evening the developers of 15/01218/AOP had outlined works to reduce the*

forecourt of the Old Town Hall by about half to address the additional volume of traffic generated by their development, and this will have an effect on the use of the loading bay.

- The hours of opening will overlap the hours of opening of Town & Country Cars, so the availability of parking at the premises is not guaranteed for perhaps 6 of the 12 hours.
- Public transport certainly passes the site regularly but the nearest bus stops are either on the London Road by the Sainsbury's minimart, by the King's Head, or at the far end of the High Street.
- Food use would generate more refuse than a charity shop; extra bins or extra collections would be necessary. The alley between 2 Bridge Street and the side of the Town Hall is already cluttered with the skips and other bins; any more would block the Town Hall's side door and ramp and therefore its lift which is used as disabled access to the function room, and also egress from its fire escape. The "service lane" is a through route to Castle Court which is safer than the alternative narrow pavement of Castle Street beside the Town Hall.
- Smells and noise from the ventilation and extraction equipment would be feeding into a high-walled restricted space with flats above and housing behind, affecting residents and nearby businesses.
- Hot food takeaways attract noisy and yobbish behaviour, and litter which can be distributed widely around the town according to where the customer finishes the pizza.
- The inclusion of the two examples as supporting evidence for approval are irrelevant: Student Keys is, as might be expected from its name, a letting agency aimed at the University students; parking provision close to the premises is not as indispensable as for a takeaway with delivery, distribution and frequent refuse collection needs.

The example of the Bedminster branch of Domino's is not relevant for a number of reasons: the nearby crossing is pedestrian-controlled, not a zebra; the main road is wide, level and straight with adequate visibility whereas Bridge Street is steep, narrow and with a jink at the top restricting vision for drivers; there is a service bay to the rear where deliveries can be unloaded and distribution vehicles kept; and there is a large supermarket car park very close by. The inclusion of the appeal judgement in this application could be construed as minatory.

Should this application be approved, Members expressed concern about the expected follow-up application for the corporate signage; given the HBO's views on the – by comparison – innocuous signage proposed for 23 Bridge Street a few yards down on the other side of the street (15/01798 & 01799) and the proximity to the Old Town Hall and other Listed Buildings, it was considered totally inappropriate for this part of the town.

Cllr Stuchbury arrived during the following item

15/02200/APP

8 Beech Close

Single storey rear extension. Conversion of loft space comprising insertion of rear dormer window and roof light to front

Some Members considered the dormer overbearing, forming a second storey virtually the whole width of the house, and it overlooked the bungalows in Holton Road. It was noted that this part of Holton Road was without a yellow notice, so that residents would be unaware of the proposal, and this was felt to offset an unreserved comment.

SUPPORT IN PRINCIPLE

Members voted 6:4 not to oppose, as the proposed front elevation was unexceptional, but to draw the lack of notice to the Case Officer, to allow remedy and the opportunity for those residents most affected by the dormer to comment.

15/02274/APP

NO OBJECTIONS

122 Moreton Road

Removal of existing utility room, erection of single storey side/rear extension to provide annexe accommodation and single storey rear extension with lantern rooflight, incorporating covered terrace to rear.

281/15 Planning Decisions

Approved		BTC response	Officer recomm ⁿ
15/00876/APP 24 Plover Close	First fl. side extn & rear conservatory	Oppose	-
15/01323/AAD White Hart Hotel	Upgrading of existing signage	No objections	-
15/01391/APP } White Hart Hotel	External seating area to front of PH	No objections	-
15/01392/ALB }	External seating area to rear of PH ¹		
15/01421/APP 26 Westfields	Proposed off road parking ²	No objections	-
15/01613/APP 8 Brackley Road	Single storey flat-roofed rear extn.	No objections	-
15/01670/APP 15 Embleton Way	Single storey front & rear extension	No objections	-
15/01769/APP Benthill Barn	Single storey rear extension	No objections	-

¹Interestingly, only 15/01392 has had this alteration to the description on the decision sheets

²Members had requested a permeable surface be conditioned: Condition 3 reads

The hard surface hereby permitted shall be made of porous materials, or provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Reason: In order to reduce the risk of flooding and to accord with NPPF advice.

Not consulted on:

Approved

15/02010/HPDE 8 Moreton Drive Permitted extension *Conditions do not refer to retention of hedge*

Planning Inspectorate

14/03450/APP Hamiltons Precision site, Tingewick Road

Demolition of existing B2 warehouse and construction of 59 dwellings with access and associated parking

Appeal lodged against refusal; Members were asked if they wish to make any comments. The advice letter and Members' previous responses had been circulated with the agenda.

As there was no evidence of a decision on the website the Clerk contacted the officer at AVDC; no decision had in fact been made (though she was minded to refuse) – the appeal has actually been made on the grounds of non-determination within the statutory period.

Members confirmed that all previous comments made still applied and they were concerned with the number of other developments proposed for the same road, and the cumulative technical aspects that will need to be considered, as well as sewage capacity and other infrastructure. A letter expressing these points would be sent to the Inspectorate.

ACTION: PLANNING CLERK

282/15 Case Officer Reports (& Recommendations)

282.1 Strategic Development Control 24th July 2015

Meeting not held.

Noted.

A Report had been received for the following application, and was available by email from the office

282.2 Development Control 23rd July 2015

14/03316/APP Police Station; conversion into 5 flats + erection of new block of 8 flats (Approval recommended). Members' decision was to Oppose and Attend.

282.2.1 To receive a report from Cllr. Isham.

The Planning Clerk read out the following notes from Councillor Isham:

I was invited to speak first followed by Mr. Bristow the resident of No. 38 Addington Road, Buckingham

I outlined the Buckingham Town Council's reasons for objecting to the application, and furthermore suggested that a site visit would be useful before the Committee reached their conclusion. The Committee did not ask me any questions.

Following Mr Bristow's presentation, 4 questions were asked of him, to which he gave satisfactory answers.

There followed a short presentation by Cllr. Tim Mills as a local member focussing around emergency vehicle access to which the Officer replied this would be checked out. Cllr. Mills initially supported my call for a site visit, but the Chairman talked him out of it. The Committee's general debate centred around the possible problem of emergency vehicular access but Members were satisfied that if they agreed the Officer's recommendation, i.e. to defer and delegate, an examination of the problem, if it existed, would be sorted out before granting planning consent.

Members agreed this course of action.

283/15 Enforcement

283.1 No update has been received since the March Bulletin.

Noted

283.2 To report any new breaches

None

284/15 Transport

The source documents for 284.1 and 284.2 were emailed out to Members, for reference if required.

284.1 (206/15) To receive a report on the Travel Plans for residents and for the school on Lace Hill.

284.2 (128.2/15) To receive comments on the RLS Travel Plan

Both travel plans were felt to be completely without merit, disingenuous and had no bearing to actual circumstance. The travel plan for Lace Hill should have been complete before first occupation on the site – it had clearly not been the case. So far as was known no Co-ordinator had been appointed. The Planning Clerk was asked to write to the Planning Officer regarding Lace Hill, and to copy in County Officers, the County Council's Chief Executive and County Councillors; and in the case of the Royal Latin to write to the Head Teacher and Chairman of the Board of Governors.

284.3 To report any damaged superfluous and redundant signage in the town.

None

ACTION: PLANNING CLERK

285/14 Access

To report any access-related issues.

Cotton End ramp access ongoing as above.

Cllr. Strain-Clark commented on the difficulty of access in certain parts of Cornwall Meadow car park where raised kerbs were installed. AVDC had the matter in hand.

ACTION: PLANNING CLERK

286/15 Any other planning matters

286.1 (41.1/15) Councillor Training. To select a Member to attend training on 17th September.

Cllr. Isham had expressed an interest.

Members commented it was inadequate to invite 1 Councillor per parish and proposed both Cllr Bates and Cllr. Isham to attend. An opportunity to hold an additional training session in the Community Centre would be offered.

ACTION: PLANNING CLERK

286.2 Streetnaming: Land behind Station Terrace

To agree a suggestion for this road. The formal request and Member's suggestions were circulated with the agenda.

Proposed by Cllr. Harvey, seconded by Cllr O'Donoghue and **AGREED** to suggest The Sidings.

286.3 Streetnaming: (135/15) to receive and review the formal notice of chosen names for Tingewick Road Industrial Estate East.

Members felt that the spine road should be named Newcombe Drive with offshoots and that Newcombe Crescent should be re-named Bell Foundry Place.

ACTION: PLANNING CLERK

287/15 Correspondence

287.1 To receive for information a letter re s106 monies for land at Station Road. This information will be added to the revised quarterly request for updates, and has been passed to the Environment Committee for action.

Noted

288/15 News releases

Planning for referendum on 17th September

Town Council interested to hear the public's view on how to ensure a good turnout

289/15 Chairman's items for information

None

290/15 Date of the next meeting:

Monday 10th August 2015 at 7pm.

Meeting closed at 10pm

Chairman..... Date.....