

PL/07/22

Minutes of the **Planning Committee** meeting held on Monday 7th November 2022 at 8:10pm in the Council Chamber, Town Council Offices, Cornwalls 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
Ms. L. Stubbs	Deputy Town Clerk
Ms. P. Cahill	Committee Clerk
Mrs. K. McElligott	Planning Clerk
Cllr. W. Whyte	

No members of the public attended and so there was no public session.

400/22 Apologies for Absence

There were none.

401/22 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.

Cllr. Davies declared an interest in Clarendon House Care Home (agenda item 5).

402/22 Minutes

Members received the minutes of the Planning Committee Meeting held on 23rd September 2022 and 17th October 2022.

403/22 North Bucks Parishes Planning Consortium

Members received and discussed a summary of main points from the 20th October meeting from Cllr. Ralph.

Cllr. Ralph informed Members that subsequent to the meeting an email was circulated by the Secretary about a meeting regarding Shenley Park and the supplementary planning document, scoping a raise in the number of houses being built from 1100 to 1650. Members of the NBPPC were encouraged to apply to observe the meeting due to the potential impact on Buckingham because of the A421 link between Milton Keynes and Buckingham. The Senior Planning Policy Officer refused Cllr. Ralph's request to observe with the reason given as 'this could make the meeting unmanageable'.

Cllr. Stuchbury has written to ask for clarification as to what the difficulty is.

Cllr. Whyte asked that they, and all Buckinghamshire Councillors, be informed of any similar issues.

404/22 Action reports

404/22.1 Members received action reports as per the attached list. Members discussed the response from Cllr. Strachan. Cllr. O'Donoghue Proposed that, based on the response, we should invite the appropriate officer to a meeting to discuss this. Cllr. Mahi Seconded. Members unanimously **AGREED**. Cllr. Whyte requested that Cllr. Cornell and Cllr. Fealey are included in any correspondence. **ACTION TOWN CLERK**

Cllr. Harvey noted that the footpath between the new estates and the Gawcott Road is still not open. The Planning Clerk will email the Rights of Way Officer. **ACTION PLANNING CLERK**

404/22.2 (729/21) Members discussed availability to conduct the car park/care home access traffic survey. The proposed form is attached for information. Cllr. Cole asked Cllr. Harvey to coordinate. The Planning Clerk is awaiting a response from Buckinghamshire Council and Cllr. Harvey suggested that we await the response before setting a meeting date.

403/22.3 (341/22) Members received and [the slides](#) and Q&A from the quarterly meeting.

404/22/4 (340.1/22) Members received and discussed an email from Buckinghamshire Council (see Action List) re. the Affordable Housing consultation response. Cllr. Cole noted that the Committee had responded on the basis the consultation was for affordable housing and design on the new Buckinghamshire Plan, but it referred to the existing Vale of Aylesbury Local Plan.

405/22 Planning applications

For Member's information the next scheduled Buckinghamshire Council – North Buckinghamshire Planning Area Committee meetings are on 16th November and 14th December 2022 at 2.30pm. Strategic Sites Committee meetings are 24th November and 22nd December at 2pm.

Additional information was provided by the Clerk.

Members considered a response to planning applications received from Buckinghamshire Council and whether to request a call-in.

All the following responses were Proposed by Cllr. Cole, Seconded by Cllr. Ralph (except where noted) and agreed by a unanimous vote. Cllr. Stuchbury abstained.

22/02429/APP

NO OBJECTIONS

Bourton Meadow Academy, Burleigh Piece
Installation of 3No Air Source Heat Pumps

Members commented on the continued presence of a container in the highway verge adjacent to the main school wall, which the Town Council had been assured would be removed in 2018.

22/03352/APP**NO OBJECTIONS**

Riverside Works, Bridge Street
Change of use from Children's Indoor Play Area to Gym.

22/03436/APP**NO OBJECTIONS**

71 Moreton Road
Householder application for proposed first floor side extension and first floor garage extension for habitable space.
Members felt this was an improvement on the previous proposal but expressed concerns that the long window in the front elevation of the extension over the garage was not in keeping with the existing fenestration in the front elevation.

22/03472/APP**OPPOSE**

35 Lace Lane, Lace Hill,
Change of use from HMO (Use Class C4) to HMO with seven bedrooms (sui generis) (retrospective).
*Members noted that Lace Lane was a horse-shoe shaped road with two accesses from Needlepin Way very close to its junction with the London Road; it has two cul-de-sacs off it; and also provides access to the school and sports centre via the footpath at Braid End. It is a block-paved shared-surface street as yet unadopted, and its width is restricted by on-street parking.
The house has a prominent flat-roofed rendered dormer window in the rear roof slope associated with the conversion of the loft into two additional bedrooms and a shower-room. No application was located for this conversion, an enlargement which seems to be contrary to Condition 10 of 11/01531/ADP:*

- 10) *Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no enlargement of any dwelling nor the erection of any garage shall be carried out within the curtilage of any dwelling the subject of this permission/no windows/dormer windows/no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwelling which fronts onto a highway/no buildings, structures or means of enclosure shall be erected on the site which is the subject of this permission/no hard surface shall be provided on the land the subject of this permission, other than those expressly authorized by this permission.*

Reason: In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for extensions having regard for the particular layout and design of the development and to comply with the Aylesbury Vale District Local Plan policies GP8 and GP35.

*and which is reinforced in clause 15.1 of the covenants in the buyer's deeds which states 15.1 [without consent] to make any addition or structural alteration to the dwellinghouse or any other building now erected on or forming part of the Property....
...and in the event of such consent being granted not to carry out such work except in accordance with the plans elevations sections specifications and detailed drawings previously approved in writing by the Transferor.
Where such alterations have been proposed elsewhere on Lace Hill, permission has been sought, accompanied by appropriate documents from the developer.*

They also noted the neighbour comments on the clause in their deeds on the use of the dwelling for business, and its intended occupants:

16. Not to use or suffer to be used the property or any part of it or any building on it for any trade business or manufacture (other than office work at home which is not inconsistent with residential occupation) or for any purpose other than a single private dwellinghouse for the use of one and not more than one family and as regards to the garage site (if any) as a private motor garage and forecourt only.

and enquired how the HMO use complied with this and who – if anyone - was empowered to enforce such covenants in a deed when not supported by a planning approval condition.

The Committee therefore opposes the extension of the HMO licence to 7 bedrooms on the grounds that:

- This is a retrospective application so presumably the change has already been made, and the licence conditions breached.*
- The likely increase in on-street parking on a shared-surface street serving 56 houses will be detrimental to the amenity of the other residents who are already complaining about thoughtless parking and vehicles obstructing access to their property.*
- On-street parking causes pedestrians to walk in the carriageway, which is not safe.*
- Lace Lane leads to a traffic-free access to the school, the sports centre and the playing fields via the gap in the hedge at Braid End and is thus much used by schoolchildren, dogwalkers and others.*
- The house has already been extended with two bedrooms in the loft, apparently without permission.*
- The loss of one common room leaves little amenity space for the current residents.*
- The use as an HMO is contrary to a covenant on the property so the extension of the licence would compound this breach.*

22/03637/APP

71 Western Avenue

Householder application for single storey rear extension.

NO OBJECTIONS

22/03644/APP

48 Bourton Road

Householder application for single storey rear extension.

NO OBJECTIONS

Not for consultation

22/03508/CPL

23 Aris Way

Certificate of lawfulness for proposed demolition of an existing conservatory and erection of single storey extension.

NO OBJECTIONS

Circulated separately due to time constraints (trees)

22/03613/ATC

[land adjacent] 64-65 Nelson Street, MK18 1BT

T1 Ulmus *[elm]* 'New Horizon': Crown lift to provide 3m clearance from ground level to provide clearance for motorists and pedestrians.

NO OBJECTIONS

406/22 Planning decisions

406/21.1 Members received for information details of planning decisions made by Buckinghamshire Council.

Approved

Application	Site address	Proposal	BTC response
22/02222/APP	11 Overn Avenue	S/st side and part rear extension	No objections *
22/02803/APP 22/02804/ALB	15 Hunter Street	Single storey entrance extension	No objections
22/02962/VRC	90 Moreton Road	Var.condition 2 of 22/00939/APP	No objections
22/02992/APP	48 Highlands Rd.	2-st side ext'n & part s/st-part 2-st rear ext'n & other alterations	No objections
22/03094/APP	11 Partridge Close	S/st glass roof on rear elevation	No objections
22/03136/APP	35 Deerfield Close	S/storey rear/side extension	No objections

* see also 22/02221/CPL below

Not for consultation

Approved

Application	Site address	Proposal	BTC response
22/02221/CPL	11 Overn Avenue	Loft conversion with rear roof extension	No objections
22/02592/CPL	14 Portfield Cl.	Installation of mobile home in garden	No objections

406/22.2

Planning Inspectorate

406/22.2.1 **19/00513/AOP** Gawcott Hill Farm, Gawcott Road; Outline Planning Permission for erection of a dwelling with garage. Appeal against Refusal (decision date was 24/1/22). The Inspector has dismissed the appeal.

406/22.2.2 **21/00583/APP** 19 Bridge Street; change of use of ground floor to hot food unit and dry-cleaners unit. Appeal against Refusal. Inspector has dismissed the appeal and refused an application for costs.

407/22

Buckinghamshire Council Matters

407/22.1

Members received updates from Buckinghamshire Council Members present. Cllr. Whyte had nothing further to report but offered to receive questions. Cllr. Stuchbury attended the Environment and Climate Change Select Committee where Cllr. Carrington presented paperwork on the chalk streams and sewage pollution and took on board when questioned the relevance of the North Bucks river catchment area and the Thames; the Committee may consider extending the work on the chalk streams.

Cllr. Whyte left the meeting at 21:24pm

407/22.2

To receive for information and reference a list of the new suffixes used by Buckinghamshire Council.

407/22.3

An updated list of undecided **OPPOSE & ATTEND/CALL-IN** applications is held over to next meeting.

408/22

Updates from Representatives on Outside Bodies

There were none.

409/22 Buckinghamshire Council Committee meetings

409/22.1 N. Bucks Area Planning Committee (19th October 2022) *Cancelled*

409/22.2 Strategic Sites Committee (27th October 2022) *Cancelled*

Members may like to note that in the 6 months since May, 4 of a scheduled 7 NBPAC and 3 of a scheduled 7 SSC meetings have been cancelled.

Cllr. Stuchbury informed Members that he has written to the Cabinet Member requesting a rationale for cancellation of so many of these meetings.

The Planning Clerk informed Members that the annual statistics includes a table showing the meetings of the various area committees including cancellations. Cllr. Stuchbury requested that he is sent this information. **ACTION PLANNING CLERK**

410/22 Enforcement

Members to report any new breaches.

Cllr. Stuchbury went to a meeting regarding enforcement and Proposed that we write and thank enforcement officers for the work that they are doing. Cllr. Harvey Seconded. Members **AGREED.** **ACTION TOWN CLERK**

The Planning Clerk will check if the 2 Mallard Drive fence issue has been resolved.

After some discussion, members agreed to keep a log of land grabs. The Planning Clerk will begin this log in January 2023.

ACTION PLANNING CLERK

411/22 Applications to fell trees held over to next meeting.

412/22 Matters to report

Members reported any damaged, superfluous and redundant signage in the town, access issues or any other urgent matter.

Cllr. Cole raised the issue of the parking machines not working yet again in Cornwalls Meadow. Last week only one machine was working and long queues were forming.

The Deputy Town Clerk informed Members that the Council had reported the issue several times to Parking Services and will follow up. **ACTION DEPUTY TOWN CLERK**

413/22 Chair's items for information

Cllr. Cole noted the third bank holiday in May and the need to move the Planning Committee meetings from 8th and 25th May 2023. **ACTION COMMITTEE CLERK**

414/22 Date of the next meeting: Monday 5th December 2022 at 7pm.

Meeting closed at 21:44pm

Chair Date