

PL/06/22

Minutes of the **Planning Committee** meeting held on Monday 17th October 2022 at 7.00pm 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. L. O'Donoghue	
Cllr. A. Ralph	Vice Chairman
Cllr. R. Stuchbury	
Cllr. M. Try	

Also present:

Mr. R. Newall	Co-opted member
Ms. C. Molyneux	Town Clerk
Ms. P. Cahill	Committee Clerk
Mrs. K. McElligott	Planning Clerk

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

330/22 Apologies for Absence

Members received and accepted apologies from Cllr. Harvey and Cllr. Mahi.

331/22 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 access.

**332/22 Buckingham Neighbourhood Plan/Vale of Aylesbury Plan/
Buckinghamshire Local Plan**

Members received and discussed a report from the Town Plan Officer.
Cllr. Cole referred to 1. Housing Requirements and noted that the VALP's housing requirement for Buckingham to 2033 has been met but when the countryside Local Plan for Buckinghamshire (LBP4) is eventually made there may be a need for more in the future (2033 to 2040).
Cllr. Stuchbury suggested treating this information with caution as there has been no consultation with Buckinghamshire Council members.
Cllr. Cole pointed out a typo on page two which should read 'relevant Parish Clerk', not 'relevant Town Clerk'.
The Planning Committee wished the Town Plan Officer a speedy recovery.

333/22 North Bucks Parishes Planning Consortium

Meeting postponed to 20th October 2022.
Cllr. Ralph will circulate the minutes to members when received.

334/22 Action reports

Members received action reports as per the attached list.
Cllr. Cole noted errors on the action report: A422 bypass is agenda item 5.1, not 6.1 and Cllr. Stuchbury's letter is agenda item 8.1.1, not 9.1.1.

334/22.1 (26/1/22; A422 bypass roundabout modifications). Members discussed any points arising from the circulation of the drawing.

Cllr. Cole stated that this proposed separate left turn is totally unnecessary as there have never been problems turning at this roundabout and we should point this out to Buckinghamshire Highways.

Mr. Newall asked why this has arisen. The Planning Clerk explained that it is because it has repeatedly been included in s106 agreements, despite our protests, and the money could be better used for other projects in the Buckingham Transport Strategy.

Members agreed that the Planning Clerk should be asked if there is any supporting evidence for the need available.

ACTION PLANNING CLERK

335/22 Planning applications

For Member's information the next scheduled Buckinghamshire Council – North Buckinghamshire Planning Area Committee meetings are on 19th October and 16th November 2022 at 2.30pm. Strategic Sites Committee meetings are on 27th October and 24th November at 2pm.

335.1/22 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 and agreed by a unanimous vote unless otherwise specified. Cllr. Stuchbury abstained.

The following two applications were considered together:

2 White House Cottages, Bletchley Road

NO OBJECTIONS

22/03021/APP

Householder application for proposed front porch and detached garage/carport. Formation of fence and crossover.

22/03027/ALB

Listed Building application for proposed front porch and detached garage/carport. Formation of fence and crossover.

22/03198/APP

OPPOSE

Chicana, Avenue Road

Householder application for raising of roof and first floor extension to create living accommodation and two storey front/side and rear extensions.

Members had no objections to the proposal per se but opposed on the grounds of loss of another bungalow to the housing stock.

22/03267/APP

NO OBJECTIONS but see comment

9 Brackley Road

Householder application for proposed single storey rear extension with associated works.

Members noted that the proposed extension would not be very visible from the public domain but pointed out that the existing wing had a pitched roof, as preferred in the policy DES62 of the new Buckinghamshire Design Code (currently out for consultation), and this would be aesthetically more appropriate to the age and style of the host building.

22/03339/ALB

NO OBJECTIONS SUBJECT TO THE HERITAGE OFFICER'S SATISFACTION

East and West Buckingham Lodges, Stowe Avenue

Listed Building application for proposed re-roofing including new insulation to East and West Lodges.

The proposed alterations would not be visible and would improve the buildings' habitability.

Not for consultation

This application was circulated separately due to time constraints, and the decision had been made before the meeting (5th October: to approve)

22/03102/CPL

NO OBJECTIONS

37 Bobbins Way, Lace Hill

Certificate of lawfulness for proposed block up one window and insertion of three new windows to rear elevation.

22/03312/CPL

FURTHER INFORMATION REQUESTED

24 Downer Close

Certificate of Lawfulness for proposed single storey rear extension.

Members noted that the proposed extension was not on the same footprint as the existing conservatory and left a gap of an estimated 15cm between the new brick wall and No28. This could accumulate dead leaves and weed growth which would be difficult to clear and could lead to damp problems in both buildings. They asked whether the extension could be built abutting the neighbouring wall, as the conservatory appears to be, to eliminate this problem. Concern was also expressed that as this was a CPL application, the neighbours had had no opportunity to comment.

22/03369/CPL

NO OBJECTIONS

22 Boswell Court

Certificate of Lawfulness application for proposed demolition of conservatory and erection of single storey rear extension.

Not for consultation (trees): circulated separately due to time constraints

The following application had been approved before the meeting (10th October)

22/03118/ATC

OPPOSE

55 Well Street

T2 Strawberry Tree : Removal to allow access to the highway from the rear garden.

Members had opposed on the ground that the tree was not growing in the applicant's land, that there was no decision yet on the applications for work to 55 Well Street which would require the access, and there was no document indicating that Fairhive knew of the application, still less approved it.

The decision document included:

Informatives:

1. Should the tree subject to this notification not be on land under your management, consent must be sought from the tree owner prior to the implementation of works.

*A split comment of **NO OBJECTIONS** (T1 & T2) and **OPPOSE** (T3) had been submitted for this application*

22/03209/ATP

21 Waglands Garden, Chandos Road .

T1 – Pollard Yew tree to approx. 7ft above ground level.

T2 – Yew tree – Remove limb closest to the building. Remove deadwood form the canopy and prune any overhanging branches away from the building by 1-2m.

T3 – Pollard Yew tree to approx. 7ft above ground level.

335.2/22 Planning Inspectorate

335.2.1 Planning Appeal

An appeal against refusal of **22/02389/CPL**: Cert/Lawfulness for proposal to extend vehicle access by approximately 5m² at 33 Willow Drive has been lodged and will be dealt with by Written Representation.

If Members have anything further to add to their 15/8/22 comments below, the closing date for representations is 9th November.

“Members noted that the red line contradicted the applicant’s statement that he owned the land and opposed the acquisition of, and the resurfacing of, the public path with block paving. It was noted that this section of path had a raised kerb and adjacent gutter drain but no application to remove the kerbing was included. The line sketched on the Google Streetview was ambiguous (being straight on a curved kerb) and concern was expressed that block paving up to the road edge might affect the drainage of the surrounding area.”

Reason for the Appeal: “We want to extend the current crossover by approximately 5m² to allow better access for the occupant. In the response document provided by the Local Authority, it was stated the proposal “would be located outside the curtilage of the dwellinghouse”. The location of works is a dead end with no through traffic and only accessible by the handful of residents. The area of footpath we want to “take” has no through route/joining route for pedestrians and would cause no disturbance or inconvenience. The footpath is clear of any services and would tie in with the customers property. We see no justification in why the proposed crossover extension was rejected.”

Members expressed concern that this may set a precedent.

335.2.2 Planning Appeal

An appeal against refusal of **22/00328/ALB & 22/00330/AAD**: Display of fascia sign, projected sign, and 2 board signs (Hoarding) below bay window at Costcutter, 40-41 Nelson Street has been lodged, and will be dealt with by Written Representation.

Members will remember that the retrospective application resulted from Enforcement action.

If Members have anything further to add to their 14/2/22 comments below, the closing date for representations is 10th November.

“Given that the shop had no competition in the surrounding area, Members felt that the amount of advertising signage was excessive, especially as some of the ‘hoarding’ below the windows displayed views of the interior rather than advertising. The fascia and projecting sign were not dissimilar to those of the previous owners, but the additions were inappropriate on a Listed Building in the Conservation Area, and on a principal entrance to the town. Should the LPA officers agree, Members asked that any damage to the fabric of the wall be repaired to the Heritage Officer’s specification.”

Reason for the appeal: “The LPA fails in its assessment to refer to or juxtapose the historical signage present on the building when the unit was operated by previous owners such as Londis and Costcutter. The parish/town council members’ consultee comments were proportionately focussed on the additional hoardings below the windows noting that (emphasis added) “the fascia and projecting sign were not dissimilar to those of the previous owners, but the additions were inappropriate on a Listed Building in the Conservation Area, and on a principal entrance to the town.” The LPA was therefore unfair to deem ALL the signage to be harmful and could have engaged with the Appellant to agree an appropriate compromise.

The Appellant is amenable to removal of the 'hoarding' below the windows to reduce the visual clutter on the building if the inspector deems these as excessive advertising."

336/22 Planning decisions

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

Approved

Application	Site address	Proposal	BTC response
22/0220/APP	9 St. Rumbold's Lane	Infill extension & alteration to form 7 self-contained flats	Oppose & call-in
22/01248/APP	26 Pillow Way	S/st. rear & s/st. front extension	No objections
22/01262/APP	7-11 Homestall	Replacement front extension	No objections
22/01726/AAD	11 Market Square	Specsavers signage	No objections
22/02506/APP	38 Moreton Road	2-st side/rear extension	No objections
22/02675/APP	3 Portfield Close	S/st. front/side ext'n & new porch roof	*

* Decision made before meeting; extension of time had been refused

Refused

Application	Site address	Proposal	BTC response
22/01189/APP	2 Mallard Drive	Ch/use open space+1.8m timber fence	Oppose

Withdrawn

Application	Site address	Proposal	BTC response
20/01830/APP 20/02506/ALB	50-51 Nelson Street	Ch/use №51 to HMO; №50 to be retained as dental practice	Oppose

Not for consultation

Approved

Application	Site address	Proposal	BTC response
22/02924/ATP	4 Villiers Close	T1 & T2 Sycamore: prune / clear ivy T3 Sycamore: crown clean and thin T4 Lime: crown clean and thin T5 Hawthorn: fell to ground level (not TPO)	
22/02980/ATC	55 Well Street	T1 Mulberry – Fell	Oppose
22/03026/ATC	15 Chandos Rd	T1 sycamore – 4m crown reduction T2-T6 Himalayan Birch – Fell	Crown red'n: OK; Felling: Oppose
22/03102/CPL	37 Bobbins Way	Block 1 window and insert three new windows in rear elevation	No Objections (via email consultation)*

22/03118/ATC	55 Well Street [Brooks Court]	T2 Strawberry Tree; remove to allow access to rear garden (of No.55)	Oppose; planning applications not yet decided*
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* Decision made before meeting; extension of time had been refused

Refused

Application	Site address	Proposal	BTC response
22/02819/ATP	19 Waglands Garden	Lime tree – crown reduction of 5-7m height and 2-4m off laterals	Oppose

337/22

Buckinghamshire Council Matters

337/22.1

Members received news of Buckinghamshire Council new documents and other information from Buckinghamshire Council Members present.

337/22.1.1 Members received answers to written questions submitted by Cllr. Stuchbury.
Cllr. Stuchbury noted that the written response does not offer a great deal of clarity on the removal of comments.
Members agreed that there is a loss of valuable information, and this response does not give sufficient explanation.
Cllr. Stuchbury asked Members to pass their concerns to the Planning Clerk; following their meeting Cllr. Stuchbury will seek further clarity. **ACTION ALL MEMBERS/PLANNING CLERK**

Cllr. Stuchbury attended an HS2 meeting today and made Members aware that there is litigation work going on regarding balancing ponds which feed into a water course. The balancing ponds will flow into the Rainsbrook. There could be future situations when this could have an implication on flood water reaching Buckingham.

Members should be mindful that interest has been expressed for 300 houses to be built south of Wipac. The Town Clerk is aware of this and will write to the potential developer inviting them to the next Full Council meeting.

ACTION TOWN CLERK

Cllr. Cole reminded Members that it is four years since the alleged chemical discharge at Brackley and the Environment Agency are still using Covid as a reason for their lack of action on this and sewage discharges into watercourses. Cllr. Stuchbury informed Members that there is a case before the courts which will be heard next year and is likely to become a test case.

337/22.2

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

338/22

Updates from Representatives on Outside Bodies

Members received verbal updates from Councillors.

Cllr. Stuchbury feels that we should ensure that Buckingham Town Council are monitoring the agendas of the meetings of the Growth, Infrastructure and Housing Select Committee,

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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.....

and the Transport, Environment and Climate Change Select Committee as there might be matters on the agenda of interest to the Town Council.

339/22 Buckinghamshire Council Committee meetings

- 339/22.1 N. Bucks Area Planning Committee (14th September 2022 & 19th October 2022) *Cancelled*
- 339/22.2 Strategic Sites Committee (29th September 2022) *Cancelled*

Cllr. Try asked why these meetings are persistently cancelled? Is the work being delegated and does this mean that only one person is making decisions? Cllr. Cole noted that decisions on inclusion on the agenda for the NBAPC and SSC are made by the Chairman and the Business Manager only.

340/22 Consultations (Buckinghamshire Local Plan)

- 340/22.1 Aylesbury Vale Affordable Housing SPD [Buckinghamshire Council - Aylesbury Vale Area Affordable Housing Supplementary Planning Document \(oc2.uk\)](#) (document 22).

Cllr. Cole pointed out that the document is very encouraging regarding affordable housing and also acknowledges that VALP does not supersede any Neighbourhood Plan Policy.

Despite this the new Secretary of State for Levelling Up is going to push for less affordable housing, and he wants to do away with planning permission on any household extension.

Cllr. Stuchbury proposed a press release regarding Buckingham Town Council leading the way on 35% affordable housing. Cllr. O'Donoghue Seconded.

A vote was taken, and the results were:

For: 5
Against: 1
Abstention 1

ACTION DEPUTY TOWN CLERK

- 340/22.2 Aylesbury Vale Design SPD [Buckinghamshire Council - Aylesbury Vale Area Design Supplementary Planning Document \(oc2.uk\)](#) (document 23)

Mr. Newall explained that everything has been amalgamated into this current document; the principles have not changed but a considerable amount on landscape and environmental issues has been included.

Cllr. Cole proposed a vote of thanks to Mr. Newall and The Buckingham Society for the work that they have done on this.

341/22 Quarterly Meeting for Town & Parish Councils – Planning & Environment Service.

A report from the Planning Clerk was attached. The Slides have not yet arrived and will be circulated by the Planning Clerk.

ACTION PLANNING CLERK

342/22 Enforcement

Members to report any new breaches.

The Planning Clerk reported that at the Turkish barber shop on Bridge Street there is a lit Barber Pole which is in the Conservation Area.

343/22 Applications to fell trees

The updated list was noted.

344/22 S106 Quarterly update

The updated spreadsheet was noted.

345/22 Matters to report

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

Cllr. Try raised the disruption of fibre installation which seems to be ripping up the town again.

The Town Clerk has checked, and the proposed Market Hill closure will not impact the market.

Cllr. Cole raised the adverse publicity regarding three parking machines not working at Cornwall's Meadow Car Park. The Planning Clerk will raise this with Buckinghamshire Parking.

ACTION PLANNING CLERK

346/22 Chair's items for information

No announcements.

347/22 Date of the next meeting:

Monday 7th November 2022 following the Interim Council meeting

Meeting closed at 20:32.

Chair

Date