

PL/12/22

Minutes of the **Planning Committee** meeting held on Monday 27th March 2023 at 7.00pm in the Council Chamber, Town Council Offices, Cornwalls Meadow, Buckingham

Present:

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

Also present:

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.

731/22 **Apologies for Absence**

Members received and accepted apologies from Cllr. Davies, Cllr. Try and Mrs. Cumming.

732/22 **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.

733/22 **Minutes**

Members received the minutes of the Planning Committee Meeting held on 27th February 2023.

734/22 **Re-consideration of planning application 23/00396/APP in light of new information.**

Members reviewed the information supplied by the neighbour and considered whether to change their response from **NO OBJECTIONS**.

Four neighbours have raised objections stating that the plans are misleading and inaccurate. Cllr. O'Donoghue Proposed, Cllr. Harvey Seconded and Members **AGREED** to change the response to **OPPOSE**. Cllr. Stuchbury abstained.

23/00396/APP

OPPOSE (REVISED RESPONSE)

1 Pateman Close, Brackley Road

Householder application for demolition of conservatory and erection of single storey rear extension with associated changes to fenestration & landscaping.

Members had considered this application at the 27th February meeting, before the site notice was posted on 17th March, with closing date 7th April. They had registered a response of No Objections, and included their usual 'no site notice' paragraph:

"Members' response was agreed before a site notice was posted in the neighbourhood. If, after the statutory notice(s) have been posted, neighbours make comment and possibly raise valid planning reasons not obvious to Members viewing from the public domain, they reserve the right to amend their response."

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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.....

Discrepancies in the documents submitted had been pointed out in neighbour comments and the Committee received a request to reconsider its response, invoking the above paragraph. All four other residents of the Close had submitted objections to the proposal since the February meeting.

Members reviewed the new information, and **AGREED** to revise their response to **Oppose**, citing as reasons:

- Inaccurate and misleading drawings regarding dimensions and loss of light to № 2 Pateman Close and statements (for example, all 5 dwellings are detached – there are no semi-detached dwellings in the Close)
- The covenant which restricts new building on the site, echoing Condition 11 of the original application 01/02188/APP

11 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 buildings, structures or means of enclosure shall be erected on the site which is the subject of this permission, other than those expressly authorised by this permission.

- The restricted width and steepness of the shared access, and the consequent problems with delivery and storage of materials and plant
- The similar difficulties with the width of Brackley Road, which is a busy A road with a narrow verge

They also asked that – should the LPA decide to approve the application - hours of working be restricted by condition, with no working at weekends, and that there be no obstruction of the access road.

735/22 Buckingham Neighbourhood Plan/Vale of Aylesbury Plan/ Buckinghamshire Local Plan

The BNDP Working Group is meeting on Thursday. Cllr. Cole informed Members that he has written a paper on education and health provisions within the Vale of Aylesbury Infrastructure Delivery Plan, which will be presented to the meeting.

736/22 North Bucks Parishes Planning Consortium

Members received and discussed a report from Cllr. Hardcastle *postponed from last meeting*.

Cllr. Ralph clarified that this was a briefing paper written by Cllr. Hardcastle for the Consortium. Cllr. Cole suggested that this is forwarded to the Neighbourhood Planning Officer. Members recognised the value of the report as it reflects this Committee's concerns. Cllr. Stuchbury Proposed that we should write to the Cabinet Member for Planning, copying in the Director of Planning, and ask who is putting together the plan, who is in the sub-group, and how it works with the proportionality rules and the constitution of Buckinghamshire Council. Cllr. Harvey Seconded and Members unanimously **AGREED**.

ACTION TOWN CLERK

Cllr. Harvey Proposed that we seek clarity on the criteria used to determine if an application goes to Strategic Committee rather than Local Committee. Cllr. O'Donoghue Seconded and Members unanimously **AGREED**.

ACTION TOWN CLERK

737/22 Action reports

737.1 Members received action reports.

Cycleway: the Town Clerk explained that this is a continuing discussion.

Find out if you need planning permission form: The Planning Clerk received a response today explaining why the service is in place. The Planning Clerk will continue to question aspects of the service.

West End Farm archaeology – the Town Clerk confirmed that there is no further update following the information circulated on 3rd March 2023.

737.2 (472/22) Members received and discussed a response from Mr. Marsh on the Stratford Road slip lane.

Cllr. Harvey noted that it is a comprehensive report but omits that there is already a left-turn lane.

Cllr. Stuchbury Proposed that we should write and ask how much of the Buckinghamshire Transport Plan is being used. Cllr. O'Donoghue Seconded. Members unanimously **AGREED**. **ACTION TOWN CLERK**

737.3 (575/22) Members received a response from the Cabinet Member, Cllr. Strachan, re the consultation on local facilities for the Buckinghamshire Plan.

738/22 Planning applications

For Member's information the next scheduled Buckinghamshire Council – North Buckinghamshire Planning Area Committee meeting is on 5th April at 2.30pm. The Strategic Sites Committee meeting is on 13th April at 2pm.

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

Cllr. Cole proposed the following responses, Cllr. Ralph Seconded, and Members **AGREED**. Cllr. Stuchbury abstained.

23/00667/PAPCR

NO OBJECTIONS, subject to the response from Economic Development

12A Cornwall Place, High Street

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 commercial/ business/service (class E) to 2no. flats.

23/00698/AAD

NO OBJECTIONS in principle (see comments)

4 West Street

Display of sign tray, menu board, spherical canopy, and projection sign.

Members noted:

- 1. No parallel Listed Building application had been received at the date of the meeting*
- 2. Some of the signage was internally lit, which is not permitted in the Conservation Area*
- 3. Members hoped the vivid blue was due to a restricted choice of printer palette; the blue of the Greek flag was preferred*
- 4. The fascia sign was felt to be too big for a Listed Building, but this may be a problem with sizing the overlay on the photo*
- 5. The projecting sign was rather large; a hanging sign was preferred, utilising the existing iron bracket*

23/00713/APP

NO OBJECTIONS

2 Mallard Drive

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Initial.....

Householder application for enclosed porch and side extension.

23/00868/APP

NO OBJECTIONS

65 Western Avenue

Householder application for new roof over existing storey kitchen and insertion of new bathroom window to side elevation.

Members' response was agreed before a site notice was posted in the neighbourhood. If, after the statutory notice(s) have been posted, neighbours make comment and possibly raise valid planning reasons not obvious to Members viewing from the public domain, they reserve the right to amend their response.

Members noted that the existing bathroom window had not been deleted from the 'proposed' elevation drawing.

The following two applications were considered together:

23/00869/APP & 23/00870/ALB

NO OBJECTIONS subject to the response from Environmental Health

White Hart Hotel, 2 Market Square

Internal alterations and refurbishment of the premises at all floor levels and external alterations to replace an existing spiral fire exit staircase at the rear and alterations to the terrace and garden areas at the rear of the premises to form new timber frames shelters and general improvements to the outside seating areas.

Members' response was agreed before a site notice was posted in the neighbourhood. If, after the statutory notice(s) have been posted, neighbours make comment and possibly raise valid planning reasons not obvious to Members viewing from the public domain, they reserve the right to amend their response.

Members were pleased that the scruffy land between the White Hart's garden and Candleford Court was to be tidied up. However, it was noted that the parking bays were not to the current Buckinghamshire Council standard size, and concern was expressed about noise nuisance to nearby residents from the two outdoor TVs - a response from Environmental Health would be of use. .

Members await an application for the new signage.

Additional Information

22/03990/APP

NO OBJECTIONS

19 Bridge Street

Description has been changed from

Sub-division of existing dwelling and formation of two one bedroom dwellings in the existing ground floor
to

Sub-division of existing dwelling and formation of two one bedroom dwellings in the existing ground floor and one three bedroom dwelling in the existing first floor with associated external alterations.

Members noted the additional drawing, and the comments of the agent on their original response. However, they disagree with:

5) The front garden proposals are not subject to planning determination.

as the garden is on a principal entrance to the town, and adjacent to the Conservation Area and several Listed Buildings, and its present condition and future layout thus affects their setting.

Not for consultation**23/00632/ATP****NO OBJECTIONS**

The Oaks, 7 Manor Gardens

T149 Lime: Crown spread – 8m; Height – 22m; DBH - 1.25m

Work required – reduce regrowth to previous reduction points approx. 1.5m.

739/22 Planning decisions

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

Approved

Application	Site address	Proposal	BTC response
22/01498/APP	Osier Way	Erection of building for flexible Eg(iii), B2 or B8	No objection/s
22/02487/APP	63 Nelson Street	Ch/use from E(a) (Retail) to C3 (dwelling)	No objections
22/02742/AAD 22/02743/ALB	King's Head PH, Market Hill	New signage and lighting *	No objections
22/03472/APP	35 Lace Lane	Loft conversion with dormer + HiMO extension to 7 persons.	Oppose
<p><i>Cllr. Stuchbury Proposed that we write and ask if they would consider notifying us of HiMO applications. Cllr. O'Donoghue Seconded and Members unanimously AGREED.</i></p> <p style="text-align: right;">ACTION PLANNING CLERK</p>			
22/04142/APP 22/04143/ALB	19 Market Square [over Lloyds Bank]	Alter 1 st & 2 nd floors to provide 5 flats	No objections
23/00215/APP	3 Waine Close	Replacement roof & frames to existing conservatory	No objections

* The officer's report contains:

"Other matters The comments from the Town Council are noted regarding the apostrophe. Officers recommend that the Town Council discuss this aspect directly with the applicants. Please be advised that should an apostrophe be added to the signs following the grant of consent, this would be deemed 'de minimus' in terms of the approved plans."

Members agreed not to pursue this.

Refused

Application	Site address	Proposal	BTC response
22/02137/APP	Land S. of Old Police Station	Erection of 7 detached dwellings	Oppose
23/00418/APP	14-15 High St.	Installation of 4 a/c units (retrospective)	No objections

Withdrawn

Application	Site address	Proposal	BTC response
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Initial.....

21/01655/ADP	St. Rumbold's Fields	9 additional houses [Additional houses approved via 17/A4668/NON 19/4/21]	No objections
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Refused

Application	Site address	Proposal	BTC response
23/00181/ATP	Waglands Garden	G1 - Reduce group of Lawsons cypress by 2-3m in height by the visitor car parking spaces. Residents would like peace of mind as there has been storm damage.	Oppose
Cllr. Stuchbury Proposed a press release regarding the success in preserving the trees. Members unanimously AGREED. ACTION DEPUTY TOWN CLERK			

740/22 Buckinghamshire Council Matters

740/22.1 Members received news of Buckinghamshire Council new documents and other information from Buckinghamshire Council Members present.
Cllr. Stuchbury reminded Members that Buckinghamshire Council go live with the new contract, Buckinghamshire Highways Framework (a consortium of 12 approved contractors), formerly Buckinghamshire Highways, on 1st April 2023. On Thursday Cllr. Stuchbury will raise the issue of measuring pollution on the A421.

740/22.2 Members received for information only details of the parking and protection arrangements linked to 17/D1003/NON: work to block up the floodgate opening in Candleford Court basement.
Cllr. Stuchbury suggested that we inform Rights of Way that this is taking place as a public footpath is affected.

ACTION PLANNING CLERK

740/22.2 Street naming: Members received for information the new arrangements for Fleece Yard and to note that the vehicle access is now from Summerhouse Hill only; a pedestrian access through the archway on Market Hill will remain.

Postponed from the 27th February meeting due to lack of time:

740/22.4 Growth, Infrastructure and Housing Select Committee (16th February 2023)
Members received and discussed the Cabinet Member's written answer to Cllr. Cole's Public (Written) Question.

740/22.5 Members discussed the submission of Public Questions to the Select Committees.

Postponed from the 27th February meeting due to lack of time:

741/22 Annual statistics - 2022

Members received for information the (updated to 21/3/23) annual breakdown of applications.

Members recorded thanks to the Planning Clerk for her hard work.

742/22 Updates from Representatives on Outside Bodies

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Initial.....

There were no updates.

743/22 Buckinghamshire Council Committee meetings

743.1 N. Bucks Area Planning Committee (8th March 2023) *Cancelled*
743.2 Strategic Sites Committee (16th March 2023) *No Buckingham applications*

744/22 Enforcement

744/22.1 Members reported:
Oddfellows Hall: plans were approved for student lets; they were now advertised as holiday lets (informed by neighbours in Well Street). This was reported to enforcement and a case number has been generated.
Outstanding: Hilltop Avenue continued breach with a resident working on cars on the footway.

744/22.2 Members received for information: 21/00399/CONB – new fence and wall at The Coach House, Wharf Yard [formerly Paragon Tools]. **Case Closed** – not expedient to pursue.

745/22 Rolling lists – updates

745/22.1 Tree felling applications - no change.
745/22.2 Land grab reports - no change.
745/22.3 Call-in requests: the Planning Clerk will remind County Councillors about the call-in request regarding the land next to Wipac.

ACTION PLANNING CLERK

746/22 S106 Matters

746/22.1 Members received and discussed the quarterly update.
Cllr. Stuchbury informed Members he understands that because the Health Authority had not put support in to take up the s106 land at Lace Hill, it would be lost. He suggested that we write to the s106 officer to find out if the s106 money has been lost. Cllr. Cole Proposed the suggestion, Cllr. Ralph Seconded and Members unanimously **AGREED**. **ACTION TOWN CLERK**

746/22.2 Members received and discussed a report from Cllr. Harvey.

Regarding the new skate park, Cllr. Harvey Proposed that the Town Clerk continues to keep a close watch on this matter. Cllr. O'Donoghue Seconded and Members unanimously **AGREED**.

ACTION TOWN CLERK

Regarding s106 agreements and Cllr. Harvey Proposed:

- We write to the appropriate planning officer and ask for a detailed explanation - stage by stage/person by person/organisation by organisation - of just how BC negotiates and ratifies S106 agreements with developers - who does what by when etc. And we also seek clarification on how this was actually done with reference to the Osier Way and Moreton Rd Phase 3 developments. **ACTION TOWN CLERK**
- We write to all of our Shire Councillor colleagues requesting a special meeting with them and the TC Planning Committee to agree how to

proceed in the future so that the TC can work in splendid partnership with them during future S106 agreement processes.

ACTION TOWN CLERK

- We formally request that all documents relating to draft and final S106 agreements are circulated as searchable & copyable PDFs (not as is currently the case of effectively a set of jpg pictures).

ACTION TOWN CLERK

- We return to this matter in a few months' time to reflect on progress and decide how to go forward.

Cllr. O'Donoghue Seconded and Members unanimously **AGREED**.

Regarding planning applications and call-ins, Cllr. Harvey proposed:

That we ask the Planning Clerk to surface a few cracking examples of applications in the last couple of years that we had good planning law grounds to request should be called in - but which were denied by the planning officers of Buckinghamshire Council (and were approved under delegated powers). And that she prepares a report that can be brought back to this committee for our debate and resolution about how to take forward.

Cllr. Stuchbury Seconded, and Members unanimously **AGREED**.

ACTION PLANNING CLERK

747/22 Matters to report

Members reported:

Solar panel traffic signs have not been used since Christmas. Cllr. Cole Proposed that we ask Buckinghamshire Council what is their future? Cllr. Stuchbury Seconded and Members unanimously **AGREED**.

ACTION PLANNING CLERK

Cllr. Cole informed Members that the 40mph speed limit on Tingewick Road is still not enforceable due to inadequate signage.

748/22 Chair's items for information

Off-street 10p parking increase to 60p was announced by Buckinghamshire Council to take effect from 3rd April 2023.

749/22 Date of the next meeting:

Monday 24th April 2023 following the Interim Council meeting

Meeting closed at 9:00pm

Chair Date