

**PL/13/22**

Minutes of the **Planning Committee** meeting held on Monday 24<sup>th</sup> April 2023 at 7:50pm 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. A. Mahi	
Cllr. L. O'Donoghue	
Cllr. A. Ralph	Vice Chairman
Cllr. R. Stuchbury	
Cllr. M. Try	

**Also present:**

Mr. R. Newall	Buckingham Society
Ms. C. Molyneux	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.

**812/22 Apologies for Absence**

Members received and accepted apologies from Cllr. Harvey,

**813/22 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. Gateley and Cllr. Try will abstain from voting on applications as indicated.

**814/22 Minutes**

Members received the minutes of the Planning Committee Meeting held on 27<sup>th</sup> March 2023 and to be put before the Full Council on 22<sup>nd</sup> May 2023.

**815/22 Buckingham Neighbourhood Plan/Vale of Aylesbury Plan/  
Buckinghamshire Local Plan**

Cllr. Cole informed Members that there were articles in The Times and Daily Mail newspapers two weeks ago that stated that 55 local councils, including Buckinghamshire, are scrapping their local plans. Cllr. Peter Strachan was not aware of this, and the Council have made a statement informing The Times that they are not scrapping their plan and requesting that a retraction is printed.

**816/22 Action reports**

816/22.1 Members received action reports as per the attached list.

746.1/22 Lace Hill – the Town Clerk has received a response but there is no specific update.

577/22 Care home access – Cllr. Whyte has followed this up at Buckinghamshire Council. He informed Members that this is an unusual situation as this junction went ahead without approval; this means that it is now

the responsibility of Buckinghamshire Council to pay for anything extra. In the interim this has been passed on to the cycling and walking team.

Skate park – Cllr. Stuchbury informed Members that a response to his Written Question to Cabinet will be available in the public domain tomorrow.

816/22.2 (739/22) Members received for information the list of Licensed HMOs in Buckingham.

816/22.3 (746/22) Called-in applications. Members received a breakdown of results.

### **817/22 Planning applications**

For Member's information the next scheduled Buckinghamshire Council – North Buckinghamshire Planning Area Committee meeting is on Wednesday 3<sup>rd</sup> May 2023 at 2.30pm. The next Strategic Sites Committee meetings is on Thursday 11th May 2023 at 2pm.

Their new calendar is not yet available (Ratification scheduled at Full Council 17/5/23)

All the following responses were proposed by Cllr. Cole, Seconded by Cllr. Ralph and **AGREED** by Members (except where noted). Cllr. Stuchbury abstained.

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

#### **23/00894/APP**

#### **NO OBJECTIONS *but see comments***

University of Buckingham Campus, Chandos Road

Construction and operation of a micro energy storage facility.

*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.*

The relevant illustrations from the clerk's report were submitted with this response

*Members wish to point out:*

- 1. The site outlined in red on the location plan is within the woodland and the 'promontory' is the remnants of a railway siding, not an extension of the car park*
- 2. The measurements as given on the drawing cannot be accommodated in the area outlined in red on the photograph of the corner of the car park; two parking bays are required, plus a third on maintenance occasions, to open the cabinet doors into.*

#### **23/00942/APP**

#### **NO OBJECTIONS**

Stoneleigh House, Castle Street

Change of use from boutique hotel to private residence.

*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 the comments from Economic Development, but would prefer this important Listed Building to be occupied as a residence rather than have it empty. They also noted the current difficulty in recruiting staff for the hospitality sector. They point out that the town has*

hotel accommodation at the Villiers, the White Hart, the Premier Inn, the Travelodge, plus the Hilton Garden at Silverstone Circuit (197 rooms) a little out of town, and doubtless the Best Western will return to public use in due course after the Government requisition for asylum seekers expires.

Members were asked to note that the following two applications are for the same premises, but for separate proposals.

**23/00946/ALB**

55 Well Street

Listed building application for removal of existing cupboards from upper rooms and reinstate of walls.

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.

**NO OBJECTIONS**

**23/00964/ALB**

55 Well Street

Listed building application for construction of flood barrier.

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.

**NO OBJECTIONS**

**23/00969/APP**

4 Edging Lane

Householder application for loft conversion with rooflights to front and rear roofslopes and windows to gables.

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.

**OPPOSE**

Members opposed on the grounds of visual impact on the street scene and the precedent that might be set by over-ruling Condition 9 of the original application 13/01549/ADP:

9 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 authorised 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 development having regard for the particular layout and design of the development and to accord with policies GP8 and GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

Cllr. Whyte left the meeting at 20:21.

**23/01014/APP**

**OPPOSE**

41 Western Avenue

Householder application for construction of a replacement garage.

*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.*

*As cars are now larger than when the original garage was built, Members felt the new size standard should be applied and there was enough room to build the new garage to the current standard width of 2.8m. There is only 2.5m of usable space between the proposed internal buttresses.*

**23/01072/APP**

**NO OBJECTIONS**

5 Watchcroft Drive

Householder application for single storey [side] and rear extensions.

*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.*

*Cllr. Gateley abstained from voting, having declared a personal interest.*

**23/01075/CPE**

**NO OBJECTIONS**

24 Chandos Road

Certificate of lawfulness application for existing subdivision of a single C3 site to 3 separate, self-contained units.

*Cllr. Try abstained from voting, having declared a personal interest.*

**23/01076/APP**

**NO OBJECTIONS but see comment**

24 Downer Close

Householder application for single storey rear extension (amendment to approval 22/03886/APP).

*Members remain concerned that the narrow gap between the extension and the rear wall of No. 28 will collect leaves and weeds not easily removable, and which will eventually breach the integrity of the damp-proof course of both buildings.*

**23/01079/APP**

**RESPONSE DEFERRED FOR MORE INFORMATION**

40 Embleton Way

Householder application for garage conversion.

*Concern was expressed that the access door to the converted garage would be obstructed by the front door when opened, and this was unsafe if it was needed for an emergency exit. If the bedroom was needed for a person with limited mobility, the window fire escape would not be feasible. Members asked if it would be possible to re-hang the front door to open outwards and thus remove the problem.*

*The following two applications were considered together:*

**23/01121/APP & 23/01122/ALB**

**DEFERRED FOR FURTHER INFORMATION**

4 West Street

Change of use of a class E restaurant into a sui generis restaurant (with takeaway) and drinking establishment.

*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 North arrow on the Location and Block Plans was incorrect (by 90°);
- The applicant had ticked 'Don't know' for the Listed grade, and for whether it was an ecclesiastical building, how the sewage is to be disposed of (and 'No' for connection to the existing drainage system). This is not acceptable for a Listed building in the Conservation Area, especially as the Grade II status is mentioned elsewhere and is readily available on-line;
- Members would like evidence of arrangements for waste storage and collection and separation of recyclables, as this is a food establishment. The premises are on a narrow pavement, so bin(s) left on the West Street frontage would be an obstruction; there is a yard at the back. Previous businesses must have had some arrangement for the use of the yard, as we have not had complaints about bins being left on the street;
- The D&A Statement gives no evidence of the applicants being aware of VALP – it quotes AVDLP Policies – and states that the premises are not in the Primary Shopping Area. This is untrue, as both sides of West Street from Market Square to School Lane are in the Primary Shopping Area as defined in the Buckingham Neighbourhood Plan, reinforced by VALP ¶ 6.18;
- The D&A statement also states in Section 04 that there will be no alteration to signage etc and then lists in Section 05 ("two previous planning applications" – five are listed) the application history of the site including 23/00698/AAD which was reviewed by Members at their previous meeting. No ALB application for the signage has been notified to us yet; has the Heritage Officer been asked for comment?
- The premises are situated at a pinch point, and casual parking to collect a takeaway meal must be discouraged. The nearest legal parking is some distance to the west, by Castle House.

Members ask that these queries be answered, and errors remedied, and the plans be resubmitted and reconsulted.

**23/01175/APP**

**NO OBJECTIONS SUBJECT TO HIGHWAYS' SATISFACTION**

39 Bernardines Way

Conversion of 4-bedroom house into HMO consisting of 6 self-contained [units] with shared facilities and utility/storage (retrospective).

*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.*

*Concern was expressed that the two allocated parking bays were not marked out or numbered, and that there might be six vehicles to accommodate, and this could lead to conflict with existing residents - even if students are prepared to walk to lectures, they may*

24<sup>th</sup> April 2023

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page 5 of 9

*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.....

keep a vehicle for evening and weekend use. Though cycles may be parked in the rear garden, there is no access other than through the house, which may discourage their use. No response from Highways was on the website at the date of the meeting, and Members would like their views on additional traffic in this cul-de-sac. They also noted that Licensing's HMO list does not include this address, though the application is retrospective; however №19 opposite is a Licenced HMO.

Cllr. Stuchbury Proposed that we write to Buckinghamshire Council's licensing department to request sight of their policy and plans regarding HMOs, and request information on how they intend to manage this in Buckingham. Cllr. Try Seconded. Members unanimously **AGREED.** **ACTION PLANNING CLERK**

**Amended plans**

**22/04096/APP**

**NO OBJECTIONS**

118 Moreton Road

Description has been amended from:

Householder application for single storey side and rear extensions.

To: Householder application for single storey rear extension, porch canopy, insertion of roof light to single storey flat roof side extension and addition of render to external walls.

**Not for consultation**

**23/01150/ATP**

**RESPONSE DEFERRED PENDING**

**CLARIFICATION**

Oakwood, 6 Manor Gardens

T6 Robinia - Execute a crown reduction of between c20-30% - between 5-10ft There is no Robinia on the Order; the tree consultants also list a Norway Maple for work, and there is a Protected Norway Maple in this part of the garden but it is not listed in the application description. The application has not been circulated to the BTC Tree Consultants Group.

**818/22 Planning decisions**

818/22.1 Members received for information details of planning decisions made by Buckinghamshire Council.

**Approved**

Application	Site address	Proposal	BTC response
22/04251/APP	[Rear of] 29 Candleford Court	Timber roof over planter in communal garden	Oppose
23/00470/APP	18 London Road	2-st side & rear extensions & porch	No objections
23/00713/APP	2 Mallard Drive	Enclosed porch and side cloakroom	No objections

**Withdrawn**

Application	Site address	Proposal	BTC response
17/04886/APP	The Workshop, Tingewick Road	Retrospective application for erection of fence and shed	Oppose (WW called-in)

Enforcement have re-opened their case file on this matter (21/00573/CONB) to enable the site to be restored to its previous state.

## Not for consultation

### Refused

Application	Site address	Proposal	BTC response
23/00339/CPL	5 Watchcroft Dr.	Replace conservatory with side & rear extensions.	Deferred for information*

\*Members asked whether a CPL was appropriate for such a large extension.  
Replaced immediately by 23/01072/APP, above

### Withdrawn

Application	Site address	Proposal	BTC response
23/00497/CPL	4 Edging Lane, Lace Hill	Cert/Lawfulness loft conversion with rooflights and gable end windows**	Oppose

\*\* replaced immediately by 23/00969/APP, above

818/22.2 Planning Inspectorate  
Members received for information a decision made on an appeal against refusal of a retrospective application for a fence at 1 Eider Close. The appeal was dismissed; the Inspector “concluded that the development causes unacceptable harm to the character and appearance of the surrounding area and, as such, it conflicts with Policy BE2 of the Vale of Aylesbury Local Plan. Amongst other matters, this policy requires development to respect and complement the physical characteristics of the site and its surroundings and the local distinctiveness and vernacular character of the locality.”

### 819/22 Consultation – Infrastructure Levy

Members were circulated with the request from NALC for responses to this consultation on 31<sup>st</sup> March, to allow them to consider the document and prepare their individual responses for collation and agreement. NALC will use any replies to formulate their response to the DHLUC and would like responses by 19<sup>th</sup> May. Members can also reply direct to the GOV.UK site by 9<sup>th</sup> June.

The Town Clerk asked if Members are happy to devolve it to officer response and she will ask the Town Plan Clerk to respond. Cllr. Stuchbury Proposed that Members send their views to the Planning Clerk who will forward this information to the Town Plan Officer. Cllr. O’Donoghue Seconded, and Members unanimously **AGREED**.

### 820/22 Buckinghamshire Council Matters

820/22.1 Members received news of Buckinghamshire Council new documents and other information from Buckinghamshire Council Members present.

Cllr. Stuchbury:

Educational planning responses: Regarding junior places the money will be used to grow classes in Buckingham Primary and Maids Moreton School. Regarding secondary places there is recognition that there will be growth. In the short-term they are looking to grow two bulge classes which will go into Winslow. The overspill will be met through Winslow and Cottesloe. Investing and growing places at Buckingham School is under discussion.

Pollution levels on the A421: He has asked questions but there seems to be no intention of measuring levels. There is a possibility that equipment could be provided to measure levels.

He will be questioning Buckinghamshire Council regarding alcohol licences for town centre events.

820/22.2 Members received a verbal report from Cllr. Cole/Planning Clerk on the Quarterly Forum meeting held on Thursday 20<sup>th</sup> April.

Enforcement is still working hard, with 20 enforcement officers across the County. The digital list is complete although it only offers a list of notices served. Information received on the County Local Plan indicates that it is not realistic that it will be ready by June 2025.

820/22.3 An updated list of undecided OPPOSE & ATTEND/CALL-IN applications was *held over to next meeting*.

**821/22 Updates from Representatives on Outside Bodies**

There were none.

**822/22 Buckinghamshire Council Committee meetings**

822/22.1 N. Bucks Area Planning Committee ( 5<sup>th</sup> April 2023) *No Buckingham applications*

822/22.2 Strategic Sites Committee (13<sup>th</sup> April 2023) *No Buckingham applications*

**823/22 Enforcement**

823/22.1 No new breaches were reported.

823/22.2 Members noted a new case file: 23/00132/COU: Oddfellows Hall, change of use from student accommodation (as approved) to short-term lettings.

823/22.3 Members noted the closure of the following cases:

19/00346/CON3	10 Market Square	Inauthentic barber pole	Breach ceased
22/00574/OPDEV	M&Co, 12-13 Market Hill	unauthorised work on upper floors	22/00812/APP approved
22/00578/ADV	Fireworks Warehouse	advertising board on public land	breach ceased
22/00591/COU	Moorhen Way	extension of drive over landscape border	not expedient to pursue

**824/22 Rolling lists – updates**

824/22.1 Tree felling applications *held over to next meeting*.

824/22.2 Land grab reports *held over to next meeting*.

824/22.3 Call-in requests *held over to next meeting*.

**825/22 Matters to report**

Cllr. Ralph reported a large pothole by the entrance to the car park and when exiting the car park there is a sign that creates a blind spot.

Cllr. Try reported that the signs by the Community Centre’s emergency exit are very low (eye height) and could be dangerous to pedestrians. The Planning Clerk will check.

Cllr. Stuchbury reported that the car parking signs need clear, updated signage for the new charges and that the signage outside the Town Hall still indicates loading and unloading.

**ACTION PLANNING CLERK**

Cllr. Mahi reported that the directional signs need to be repainted as this is causing confusion for drivers. He asked that parking charges should not be ‘phone only’ but that meters must accept coins.

**ACTION PLANNING CLERK**



Cllr. Cole reported that the diversion for the Bridge Street closure is down Chandos Road where cars are parked on either side.

Cllr. Cole thanked the administrator for her work in ensuring that Councillors are up to date with road closures.

**826/22 Chair's items for information**

No items.

**827/22 Date of the next meeting:** Monday 15<sup>th</sup> May 2023 following the Resources Committee meeting.

Meeting closed at 21:43

Chair ..... Date .....

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