

PL/02/23

Minutes of the **Planning Committee** meeting held on Monday 17th July 2023 at 7.00pm in the Council Chamber, Town Council Offices, Cornwalls Meadow, Buckingham

Present:

Cllr. M. Cole JP	Chairman
Cllr. F. Davies	
Cllr. J. Harvey	
Cllr. A. Mahi	
Cllr. L. O'Donoghue	
Cllr. A. Ralph	Vice Chairman
Cllr. A. Schaefer	Town Mayor
Cllr. R. Stuchbury	
Cllr. M. Try	
Cllr. R. Willett	

Also present:

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

Absent: Cllr. Hetherington

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

156/23 Apologies for Absence

There were none.

157/23 Declarations of Interest

Cllr. Stuchbury noted that, as a member of the Buckinghamshire Northern Area Planning Committee, he will not be voting on applications.

158/23 Minutes

Minutes of the Planning Committee Meeting held on 19th June 2023 will be presented at the next meeting.

**159/23 Buckingham Neighbourhood Plan/Vale of Aylesbury Plan/
Buckinghamshire Local Plan**

Cllr. Cole reported that a comprehensive Design Code meeting was held last week by the Buckingham Neighbourhood Development Plan Working Group to look at how we move forward.

160/23 Action reports

160/23.1 Members received action report updates.

Cllr. Stuchbury Proposed that we re-issue an invite to Shire Councillors to attend the next Planning Committee meeting. Cllr. Harvey Seconded. Members unanimously **AGREED.**

ACTION PLANNING CLERK

Cllr. Harvey updated Members regarding the skate park: he has requested information regarding a start date and is awaiting a response.

160/23.2 *Postponed from 19th June meeting)*
(104/23.2) Members received and discussed a response from Mr. Bambrick. Cllr. Harvey Proposed that we write to say that we would like to be involved in any future reviews of the constitution of the Shire Council. Cllr. O'Donoghue Seconded. Members unanimously **AGREED.** **ACTION TOWN CLERK**

161/23 Planning applications

For Member's information the next scheduled Buckinghamshire Council – North Buckinghamshire Planning Area Committee meetings are on Wednesdays 26th July and 2nd August 2023 at 2.30pm. Strategic Sites Committee meetings are on Thursdays 3rd and 31st August at 2pm.

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

23/001825/APP

OPPOSE

43 Treefields,

Householder application for erection of rear conservatory.

Members felt that the 20cm gap each side of the proposed conservatory would be awkward to keep clear of weeds and leaf litter, leading to damp problems, and also make it difficult to maintain whichever side fence was in their ownership.

Cllr. Try Proposed opposing, Seconded by Cllr. Mahi. A vote was taken, and the result was:

For: 8

Against: 0

Abstention: 2

23/01858/CPL

OPPOSE

18 Penda Road [St. Rumbold's Fields]

Certificate of Lawfulness for proposed garage conversion.

Members felt that reducing the parking to two driveway bays for a 4/5-bed house was inadequate, and its site close to a corner and south of an as yet undeveloped area (allocated in the Buckingham Neighbourhood Plan as Site J) would predicate against on-street parking.

Cllr. Cole Proposed opposing, Seconded by Cllr. Ralph and **AGREED** by Members.

23/01891/AAD

OPPOSE

12-13 Market Hill [ex M&Co.]

Display of new fascia signage. 1No new projection sign and 1No new menu board.

Members opposed the new fascia lettering as it was internally lit, which is not permitted in the Conservation Area. The proposed hanging sign and menu board were acceptable.

Cllr. Cole Proposed opposing the signage, Cllr. Ralph Seconded and Members **AGREED.**

Members agreed to consider the following application with the one above, as it addressed a request for information highlighted in the Clerk's Report but had only been received that morning.

23/02078/APP

NO OBJECTIONS

12-13 Market Hill

Proposed alterations to shopfront.

Alterations: insertion of new fire exit in front elevation, and alterations to main door to open outwards.

Cllr. Cole Proposed no objections, Cllr. Ralph Seconded and Members **AGREED.**

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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.....

Cllr. Ralph Proposed a colour change from pink. Cllr. Cole Seconded. A vote was taken, and the result was:

For: 4

Against: 4

Abstentions: 2

The casting vote went to the Chair who voted against the Proposal.

23/01938/APP

OPPOSE

36 Chandos Road

Conversion of 4-bedroom house into 8 HMO self-contained unit with shared facilities. 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 opposed for the following reasons:

- *The conversion to housing for 8/9 residents was considered to be overdevelopment of the premises, and two parking bays inadequate in a road with two schools on it. Any roadside parking would be a blockage in the already difficult traffic at school times and Sainsbury's car park had surveillance to discourage non-customer parking. Students may keep a car for evening and weekend use, and non-students may need a car to get to and from work.*
- *The needless loss of both chimneys; chimneys are featured as characteristic in the Buckingham Vision & Design SPD and though the chimney breasts seem to be retained to form storage cupboards this would not preclude their retention.*
- *8 units implies storage for 16 bins; only 8 are shown. Even if divided between the driveway and the front garden, this is detrimental to the setting of the Conservation Area on the other side of the road.*
- *With a kitchen and bathroom in each unit there will be a condensation problem; no extractor units are shown.*
- *There is no indication in the documents of upgrading the insulation, installation of EV charging points or grey water recycling, even though this is effectively a new development.*

Cllr. Davies Proposed opposing, Cllr. O'Donoghue Seconded and Members **AGREED**.

The following two applications were considered together:

19 Market Square [ex Lloyds Bank premises]

23/01977/ALB

NO OBJECTIONS

Listed Building application for replacement of signage, re-organising of internal layout, installation of internal partition wall, ceilings, floor, and wall finishes.

23/02062/AAD

NO OBJECTIONS (but see comment)

Display of replacement of signage.

Members' response was agreed before a site notice was posted in the neighbourhood. If, after the statutory notices have been posted, residents 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 balcony over the door was part of the Listing, and any changes were the responsibility of the landowner. They wished their desire to retain the black horse logo for historic reasons to be recorded (should Lloyds Bank permit this); and if not, to replace it with a swan per the Town's crest.

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Initial.....

Cllr. Cole Proposed no opposition with the above request to the landowner. Cllr. Ralph Seconded and Members **AGREED**.

Amended description

23/01653/APP

OPPOSE (no change)

4 Tingewick Road [*previously The Workshop*]

Erection of shed and fence (retrospective) *has been changed to* Erection of shed (retrospective).

Members welcomed the removal of this fence but noted that there was still no reference to the fence within the site, an extensive barrier to the free flow of floodwaters, or any acknowledgement that flooding was a concern despite the EA flood maps showing the whole site is in Flood Zone 3.

Cllr. Cole Proposed opposing and calling in due to the flood risk. Cllr. Ralph Seconded and Members **AGREED**.

Amended plans - Discharge of Conditions

22/B3990/DIS

OPPOSE (no change)

19 Bridge Street

Submission of details pursuant to Condition 4 (parking) 5 (EV point) 6 (cycle parking) 8 (landscaping) 10 (bin store) relating to Planning Permission 22/03990/APP *The officer had not judged the previous submissions for conditions 8 and 10 to be satisfactory and required changes.*

The landscaping plans were considered marginally better but did not amount to the amenity space prescribed in policy DHE6 of the Buckingham Neighbourhood Plan.

The parking bays were still not the current standard size (Members considered that the new standard should apply as these were new provision) and it was considered that the other two bays should have the charging point installed during the car park works so that the occupants of all 3 flats (and visitors) would be able to plug in without the inconvenience of having to ask another resident to move their vehicle.

Cllr. Cole Proposed that we continue to oppose. Cllr. Ralph Seconded and Members **AGREED**.

Not for consultation – for information only

23/01824/AEL

Land east of Manor Farm, Bourton Road

To provide a point of connection for a solar farm, a three-pole t-off from the existing 33KV overhead line is required. The proposed t-off section will be approximately 40m in length.

Members accepted the necessity of such a connection but would have liked to see a plan of the route to be taken, and the design of the supporting pylons.

Cllr. Cole suggested that we comment that Buckingham Town Council would have appreciated being informed/consulted. **ACTION PLANNING CLERK**

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

23/01853/ATP

Maids Moreton Avenue (*rear of 4 Carisbrooke Court*)

T3 Oak of the MWA Arboricultural Report and Project Proposal - Root Severance. Installation of a root barrier is proposed to mitigate the influence of t3 of the MWA Arboricultural Report. It will be excavated within the Root Protection Area (RPA) of the trees - 6m from the tree.

McGarvie [Crawford & Co]

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Initial.....

23/01886/ATP

1 Bostock Court, West Street MK18 1HH

Common Beech & Copper Beech - reduce overhanging branches (4m) over the garden sheds to minimize risk of branch failure into Old School Court but maintaining screening for Mr & Mrs Hall.

Silver Willow x 2- Pollard to height of approximately 10m

Field Maple x 5 - reduce branches on the leaning side of the trees to improve form.

Grey Alder x 2 - Reduce height by up to 3m.

Knott

162/23 Planning decisions

162/23.1 Members received for information details of planning decisions made by Buckinghamshire Council.

Approved

Application	Site address	Proposal	BTC response
23/01260/APP	18 Catchpin Street	Rear conservatory	Oppose ¹
23/01347/APP	7-11 Homestall	Replacement of front extension (amendment to 22/01262/APP)	No objections
23/01121/APP 23/01122/ALB	4 West Street	Ch/use class E restaurant to sui generis restaurant with takeaway	Deferred for further information ²

¹Members were concerned about the overhanging eaves of the neighbour's garage and the narrow gap between the garage and conservatory. The decision Informatives include:

2. Proximity to party boundary:

Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, care should be taken upon the commencement and during the course of building operations to ensure that no part of the development, including the foundations and roof overhang will encroach on, under or over adjoining property.

3. The applicant should be aware of any requirements necessary as governed by the Party Wall etc Act 1996.

²Condition 5 of the APP decision (5th July) says

Prior to implementation of the sui generis use hereby permitted (restaurant (with takeaway)) and drinking establishment) details of the provisions for the storage and recycling of refuse have been submitted to and approved in writing by the Local Planning Authority. Such provisions shall be installed prior to implementation of the sui generis use hereby permitted and shall thereafter be made permanently available in relation to the use hereby permitted.

Reason: To ensure satisfactory provision is made for the storage of refuse and bins, in order to safeguard the visual amenity of the area and settings of heritage assets and to accord with Policies S5, BE1 and BE2 of the Vale of Aylesbury Local Plan.

Not for consultation

Approved

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

23/01075/CPE	24 Chandos Rd	Cert.Lawfulnesss for use as 3 x C3 Residential and 1 x E(g) Commercial units	No objections
23/01175/APP	39 Bernardines Way	Conv.4-bed house to 6-bed HMO with shared facilities and storage	No objections (subj.Highways satisfaction with parking)
23/01443/ATC	Brooks Court	Crown reduce acacia & remove deadwood	No objections
23/01521/ATP	Glanwin House, Avenue Road	Crown reduction of oak to keep away from house and power lines	No objections
23/01605/ATP	Maids Moreton Avenue	Fell 3 Hawthorns ivy-covered and leaning on fence	No objections
23/01608/ATP	Watchcroft Drive	Fell diseased sycamore	No objections
23/01618/HPDE	47 Waine Close	Rear extension	No objections

7.2 Planning Inspectorate decision

22/02389/CPL 33 Willow Drive. MK18 7JH

Appeal against refusal of a Certificate of Lawfulness for proposal to extend vehicle access by approx.. 5m²

Members had Opposed the application (even though it was 'not for consultation') at the 15th August 2022 meeting because the red line property boundary 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 [*across the entire width of the frontage*].

The Inspector has dismissed the appeal (even though the area is described as 0.5m² in the decision document) as the public footpath is not within the curtilage of the house, and therefore cannot be Permitted Development within the meaning of the GPDO.

163/23 Buckinghamshire Council matters

163/23.1 Members received news of Buckinghamshire Council new documents and other information from Buckinghamshire Council Members present.

Responses to written question to Full Council 12th July 2023:

163/23.1.1 Sewage Infrastructure

163/23.1.2 Flooding

Cllr. Stuchbury has:

- Put forward a motion to request involvement in drafting the Buckinghamshire Plan. This was unsuccessful.
- Attended a scrutiny training session.
- Worked with South Buckinghamshire Councillors on a report to support those living with dementia.
- Visited Candleford Court last night as a pump had broken and there was a flood risk. He spoke to Guinness about his concern for the residents. He will talk to the Fire Authority Chief and request that they contact Guinness.

Members thanked Cllr. Stuchbury for his work and question submissions.

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Initial.....

163/23.2 Members received notes from the meeting of 11th July Cabinet meeting on adoption of CIL in the northern part of the County.

164/23 Updates from representatives on outside bodies

No updates.

165/23 Buckinghamshire Council Committee meetings

165/23.1 N. Bucks Area Planning Committee (28th June 2023) *Cancelled*

165/23.2 Strategic Sites Committee (6th July 2023) *Cancelled*

165/23.3 Growth, Infrastructure and Housing Select Committee (6th July 2023)
Members received and discussed a report from the Planning Clerk on "Member Engagement in Planning" item.

165/23.4 Transport, Environment & Climate Change Select Committee (22nd June 2023)
Nothing to report.

165/23 Enforcement

Members reported the following new breaches:

Town Hall – internally illuminated signage erected on the outside of the building. This has been reported to enforcement.

Brethren Meeting House septic tank. There is no update.

Graffiti on old M&Co building. This has been reported.

Bourton Road roundabout paragon signs still up. The Town Clerk will look into this.

ACTION TOWN CLERK

166/23 Rolling lists – updates

166/23.1 Tree felling applications *no change from June.*

166/23.2 Land grab reports *no change from June.*

166/23.3 Call-in requests.

166/23.4 HMO Licences *no change from June.*

167/23 Matters to report

Bourton Road: from the Cricket Club to the old health club the path is completely overgrown – to be reported on FixMyStreet.

Tree on the corner of Osier Way is dead and has been reported.

Complaint from a mobility scooter user: he got stuck in the Chewar last week due to the bins and rubbish stacked there. The Planning Clerk reported this and has suggested the use of bags rather than bins; this is being investigated.

40mph repeaters are still not spaced out correctly on the Tingewick Road.

The closure of the A421 for the whole of August – the Town Clerk will speak to colleagues at County but recognises that this is vital work.

ACTION TOWN CLERK

168/23 Chair's items for information

A VALP invite was received today for a meeting tomorrow. Cllr. Cole has requested that this meeting is rearranged due to inadequate notice. If it goes ahead the Planning Clerk and the Town Clerk will attend.

169/23 Date of the next meeting: Monday 21st August 2023

Meeting closed at 20:57

Chair Date

17th July 2023

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Initial.....