

PL/03/23

Minutes of the **Planning Committee** meeting held on Monday 21st August 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. S. Hetherington	
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
Mr. S. Beech	Compliance and Projects Manager
Ms. P. Cahill	Committee Clerk
Mrs. K. McElligott	Planning Clerk

Absent:

Cllr. Schaefer
Cllr. Willett

Public session

Two residents attended the meeting regarding application 23/02204/APP - Brethren Meeting Hall, Mallard Drive. They raised the following concerns:

- The meeting house has been enlarged and this can now be seen from both floors of one of the resident's properties.
- The cesspit/septic tank location will be just a few metres away from residents' gardens. One resident has a lower garden behind the property; this could be highly problematical if there are issues with the septic tank.
- As the meeting house is now larger this is likely to result in additional attendees and further traffic.
- The residents have received contradictory information from the owner regarding the location/use of a septic tank.

Cllr. O'Donoghue asked about the traffic on meeting days and was informed that up to 15 cars and increased footfall were typical when the Meeting Hall was in use.

Members **AGREED** to bring the application forward for discussion.

204/23 Apologies for absence

Apologies were received and accepted from Cllr. Schaefer.
Apologies were later received from Cllr. Willett, but not in time to report them to the meeting.

205/23 Declarations of interest

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

206/23 Minutes

Members agreed the minutes of the Planning Committee Meeting held on 19th June 2023 and to be put before Full Council on 11th September 2023.

207/23 Bucks Council Members

Members discussed a method of including the Town Council in s106 discussions at an early stage, and how this may be continued when CIL is introduced.

Cllr. Cole explained that Buckingham Town Council has been left out of all s106 discussions and, despite a further 1930 houses having been built, we have not been asked for our input on education and health provision. Under the Parish Charter we should be consulted, and we would request all Ward Councillors to fight for this.

Cllr. Stuchbury suggested that this needs to be discussed in the public domain. He Proposed that we draft a very precise written question, and he will choose one of two portals to take it to: the September Cabinet Meeting or within written questions for the Council meeting in September. Cllr. Cole offered to work with Cllr. Stuchbury to draft the question.

Cllr. Davies Seconded and Members unanimously **AGREED**.

208/23 Buckingham Neighbourhood Plan/Vale of Aylesbury Plan/ Buckinghamshire Local Plan

At the earlier Working Group meeting it was agreed that the first consultations will take place at the end of September, subject to Full Council agreement on 11 September.

209/23 North Bucks Parishes Planning Consortium

Members received a verbal report from Cllr. Ralph on the meeting between Buckinghamshire Council and the NBPPC held on 9th August at the Gateway in Aylesbury.

Cllr. Ralph reminded Members that improving relations between Buckinghamshire Council and Parish Councils has been a priority and a letter was sent from Cllr. Hardcastle to Buckinghamshire Council Cabinet Member Cllr. Peter Strachan. Cllr. Ralph attended the subsequent meeting where he felt that they were open to the position paper, offering to respond in writing and to arrange a further meeting.

210/23 Action reports

Paragon signs Bourton Roundabout – Cllr. O'Donoghue requested that the Green Spaces Team are asked to inspect the signs. **ACTION ESTATES MANAGER**

Skatepark – Cllr. Harvey asked that we write to the Shire Council requesting an explanation as to why they chose this particular time (the school summer holiday) to undertake construction and also whether they are going to reinstate shelters in the new skatepark. Cllr. Stuchbury suggested writing to Cabinet Member Clive Harris and also requesting a copy of the plan for the skatepark. Members **AGREED**. **ACTION TOWN CLERK**

Sewage capacity – replies from neighbouring councils were noted; Milton Keynes stated that they don't, and never have, sought s106 contributions in relation to capacity of wastewater treatment works so can offer no advice.

Archaeological site – moving forward as all parties are now working together. The Compliance and Projects Manager requested that Cllr. Stuchbury send this information to the office so that the action tracker may be updated.

The A421 closure caused numerous problems with confusing signage and enormous damage to grass verges in neighbouring villages. Anglian Water worked through the day and night and finished the work on 13th August. Members **AGREED** to write to the Cabinet Member for Transport requesting a review of the closure, and also of the roadworks during the Grand Prix weekend and to ask what additional work is going to take place, to prevent similar problems in the future. **ACTION TOWN CLERK**

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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.....

211/23 Planning applications

For Member's information the next scheduled Buckinghamshire Council – North Buckinghamshire Planning Area Committee meetings are on Wednesdays 23rd August and 27th September 2023 at 2.30pm. Strategic Sites Committee meetings are on Thursdays 31st August and 28th September 2023 at 2pm.

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

The following responses were all Proposed by Cllr. Cole, Seconded by Cllr. Ralph and **AGREED** by Members (except where noted). Cllr. Stuchbury abstained.

The following application was taken out of order for the convenience of members of the public present.

23/02204/APP

OPPOSE & CALL IN

Brethren Meeting Hall, Mallard Drive,

Single storey side extension (retrospective) and proposed toilet with septic tank.

1. *This has never been brownfield land; this part of the Heartlands was in agricultural use before the bungalow (which became No.1) was built and remained so until the estate was approved;*
2. *The new shed is much larger (with a footprint measuring 50% of the garage area) and higher than the previous approved extension, to the extent that it is now visible over the fencing. It is quite different to that approved in 2016, which was for an extension built of the same materials, which the planning officer said was "within the street scene which blends with the character of the domestic residential development in the vicinity". The new application is for a wooden lean-to shed which is out of character to the residential estate;*
3. *There is no justification for the use of a cesspit or septic tank system when the surrounding houses are all connected to a main sewer;*
4. *There is no utility map showing where the nearest sewer actually runs and how far it is from the proposed installation, but it seems unlikely that it is at least 30m away, whether the building is considered to be 'domestic' or not;*
5. *There are no details of the cesspit/septic tank installation, and no dimensions of its site with respect to the boundary fences, or depth below ground;*
6. *There are no details of how the system is to be maintained, including frequency and means of sludge (solid waste) removal;*
7. *There are no details of the soil conditions and whether the liquid effluent will seep away in a timely and safe manner (one of the holes already dug in the rear garden is alleged to be a soakaway);*
8. *Nearby houses are at a lower level than this garden and thus at risk should the soakaway malfunction.*

Members felt strongly that this retrospective application should be refused in order that it not create a precedent for other garden developments and called in for consideration by the Committee.

23/02026/APP

NO OBJECTION but see comments

University of Buckingham Chandos Road Building car park

Construction and operation of a micro energy storage facility and associated works.

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Initial.....

Members would like to see the fencing painted so that it was less conspicuous against the woodland, as the car park is in the Conservation Area.

Cllr. Cole Proposed not opposing but requesting a sympathetic colour. Cllr. Ralph Seconded. A vote was taken, and the result was:

For: 6
Against: 1
Abstentions: 2

23/02120/APP

NO OBJECTIONS

Stoneleigh House Boutique Hotel Ltd, 17 Castle Street
Change of use from boutique hotel to private residence.

Members maintained their view that it was better to have this important Listed Building occupied than empty for the next two years while it was advertised for sale.

23/02154/AAD

NO OBJECTIONS

11 Market Square

Display of 1 x non illuminated fascia, 1 double sided externally illuminated projecting sign and digitally printed vinyl to glazing.

23/02178/APP

NO OBJECTIONS

5 Burleigh Court, Burleigh Piece

Householder application for single storey rear extension.

Cllr. Cole Proposed no objections, Cllr. Ralph Seconded. A vote was taken, and the result was:

For: 7
Against: 0
Abstention: 2

23/02183/APP

NO OBJECTIONS subject to the satisfaction of the Environmental Health officer

20 Twickenham Road

Householder application for installation of 5No internal air-conditioning and 1No external condenser unit (retrospective).

The Clerk would check if planning permission was required for all such installations, including heat pumps

ACTION PLANNING CLERK

23/02212/VRC

OPPOSE

Oddfellows Hall, 48 Well Street

Revised description: Submission of details to enable the removal of Condition 11 attached to 21/00479/APP (Variation to condition 2 (repositioning of rooflights as approved drawing) relating to application 19/03398/APP - conversion of former meeting place (Class D1) to form 9 no. student apartments (Class C3) with associated communal facilities).

Original description: Removal of Conditions 11 & 12 attached the planning permission 19/03398/APP: Conversion of former meeting place (Class D1) to form 9 No student apartments (Class C3) with associated communal facilities.

Members opposed both original variation requests

- 1. Waste & Recycling: There were inaccurate statements in the document – the basement does not contain a dining room and communal kitchen (all the units have their own kitchenettes), it houses a snooker room and laundry. Collection is by private contractor, not the Council, and appears to be bag collection of unsorted waste. These are stored between collections in an unventilated room.*

2. *Stained glass windows. It is not clear whether this included the gable window as well as those each side of the door, but close inspection shows that the cracked and weathered timber frames, evident in photos taken in 2019 for the original application, remain under the thick white paint added, somewhat inexpertly, since. This condition should not be discarded.*
3. *Members also drew attention to a perceived change of use from Class C3 (dwelling houses) to Class C1 (hotels, boarding and guest houses), as the property is being advertised for short stay lets on Airbnb and elsewhere, adding that "students can enquire", which suggests that they are not the target, despite planning permission being given only for student accommodation.*

23/02267/APP

NO OBJECTIONS

Best Western Hotel, Ring Road South, Railway Walk

Temporary change of use from a hotel to catered student accommodation together with conferencing and events space for the University of Buckingham and reconfigured parking area.

Members would like to point out (again) that the A421 is a bypass, not a ring road, and is certainly not Railway Walk which is a public footpath and cycleway on the line of the old railway, north of the bypass and providing traffic-free connections to various parts of the university campus.

The University of Buckingham is a commercial enterprise, the only private university in the country and is expanding its offer, particularly in the field of medicine, and the use of the Best Western is a temporary solution to housing students on longer courses.

Members noted that the accommodation would be catered, and therefore there would be local employment available in the kitchen and housekeeping departments.

23/02320/APP

NO OBJECTIONS

The Chalet, Stowe Avenue

Householder application for rear porch entrance. First floor rear dormer and alterations to existing first floor dormer windows

23/02381/APP

NO OBJECTIONS

5 Hazley Walk

Householder application for single storey rear extension.

Cllr. Cole Proposed no objections, Cllr. Ralph Seconded. A vote was taken, and the result was:

For: 7

Against: 0

Abstention: 2

23/02391/VRC

NO OBJECTIONS

2 White House Cottages, Bletchley Road

Variation of Condition 2 (plans) relating 23/00364/ALB (Listed building to replace 4 UPVC windows with traditional wood frame slimline double glazed units.

23/02456/APP

OPPOSE

31 Highlands Road

Householder application for replacement front boundary wall (retrospective).

Members had raised No Objections to the previous application (23/01280, refused on 17th July) partly on the grounds that the proposed extension was largely hidden by the tall evergreen hedge, and thus deplored the complete loss of the hedge and trees in front of the

dwelling, contrary to the statement on the previous application form, and the replacement with a stark brick wall completely out of keeping with the street scene, where a low brick wall is the norm.

Should the LPA be minded to approve the proposal, Members asked that the wall be reduced to a height and style matching the front garden walls of the rest of the street.

Cllr. Cole Proposed opposing, Cllr. Ralph Seconded. A vote was taken, and the result was:

For: 7

Against: 0

Abstention: 2

Amended Plans

19/00902/ADP

OPPOSE

Land adj. 73 Moreton Road

Approval of Reserved Matters pursuant to outline permission 15/04106/AOP for appearance, landscaping, layout, and scale of a residential development of 12 dwellings.

Members noted that their previous responses had been Oppose & Attend (17/4/19) and to Amended Plans Oppose - no change (22/1/21) and that Cllr. Stuchbury had also called the application in on 22/1/21.

The amendment of the garages to the current standard dimensions, the new double garage, and the re-siting of the tree on Plot 8 were welcomed; however the design of the houses was characterless, the access road was narrow and steep with tight bends and there was still no footway north of the entrance to provide pedestrian access to a safe crossing point (and the bus stops) at Western Avenue.

Experience in the recent flash flooding event led to a recommendation that the access be provided with a grille across it to receive stormwater and prevent it causing a hazard on a steep section of the A413, and possible nuisance to the houses opposite, which are considerably lower.

VALP had been made since the original application was submitted, and as the proposal was for more than 11 houses, there should be provision for 3 Affordable Dwellings (25%).

The application still did not comply with Neighbourhood Plan HP7 (Windfall Sites) which restricts housing numbers to 10 on such sites.

Not for consultation (circulated separately due to time constraints)

23/02260/ATC

NO OBJECTIONS

St. Bernardine's Church, Chandos Road

T1 Lime: reduce back to previous reduction point of 2018.

212/23 Planning decisions

212/23.1 Members received for information details of planning decisions made by Buckinghamshire Council.

Approved

Application	Site address	Proposal	BTC response
22/04198/APP	Former Little Chef	Refurb existing restaurant, add drive-thru facility and assoc. works	No Objections (with provisos)
23/00946/ALB	55 Well Street	Removal of cupboards/reinstate walls	No objections
23/00964/ALB	55 Well Street	Construction of flood barrier	No objections

23/01240/APP	Brae Cottage 71 Moreton Road	Part 1 st , part 2-storey extension and garage conversion	No objections
23/00698/AAD 23/01359/ALB	4 West Street	[Externally] Illuminated fascia sign, projecting sign and menu board	Oppose ¹
23/01599/APP	14 Sandhurst Drive	Replace conservatory. New roof on porch+2-st side & rear extn,s/s extn	No objections
23/01825/APP	43 Treefields	Rear conservatory	Oppose ²

¹ Unconsulted late amendments confirmed the colour, size, placement, non-illumination of the projecting sign and use of the existing wrought-iron bracket, as requested.

² Because it left too narrow a gap between it and each side fence to allow weed clearance and fence maintenance. Officer Comment: The proposal is to be erected entirely within the curtilage of the application site. Furthermore, it is single storey and of an appropriate size and design and would not warrant refusal on grounds of inadequate set in from the site boundary.

Refused

Application	Site address	Proposal	BTC response
23/01280/APP	31 Highlands Rd	Raise roof and insert new first floor; replace conservatory with 1½ storey rear extension and alter windows	No objections

Not for consultation

Approved

Application	Site address	Proposal	BTC response
23/01824/AEL	Land east of Manor Farm	40m overhead line for solar farm	No objections
23/01853/ATP	4 Carisbrooke Ct.	T3 Oak – Install root barrier within RPA to mitigate influence of roots on building (Tree is in M.Moreton Ave)	No objections
23/01886/ATP	1 Bostock Court	Reduction/pollarding to Common Beech, Copper Beech, 2 x Silver Willow, 5 x Field maple and 2 x Grey Alder to reduce nuisance to neighbour	No objections

Refused

Application	Site address	Proposal	BTC response
23/01858/CPL	18 Penda Road	Garage conversion (home office/gym)	Oppose

212/23.2 Planning Appeals

212/23.2.1 **21/01263/APP & 22/00078/ENFNOT**: 28 Border Lane, MK18 1SE
Appeal against an Enforcement Notice issued after the application for “Retention of fencing and change of use of land” was refused and the *status quo ante* not reinstated.

Planning Inspector has allowed the appeal, despite the timber fence being 2.5m high and replacing 1.5m high metal parkland fencing because the EN

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Initial.....

combined the change of fence with the allegation of enclosing public land (change of use from public to residential) and the drawings not being clear on the approved fence line. If they had been listed as separate breaches, he could have made separate decisions.

212/23.2.2 22/02988/APP Land at Foundry Drive

An appeal against refusal has been lodged, start date 14th August. It will be dealt with by Written representation. If Members wish to add anything to their response (see Addendum to Clerk's Report) it must be submitted by Monday 18th September.

213/23 Consultation – Permitted Development Rights

Members discussed and agreed a response to the [DLUH&C consultation](#).

Members **AGREED** that a small working group will be set up to respond. Cllr. Try and Cllr. Harvey will liaise with the Planning Clerk to arrange a mutually convenient date.

213/23 Buckinghamshire Council matters

213/23.1 Members received news of Buckinghamshire Council new documents and other information from Buckinghamshire Council Members present.

Cllr. Stuchbury advised that this Council's submission requesting ward boundary changes is on a forthcoming Buckinghamshire Council agenda. He noted that there was no application to increase councillor numbers. The Compliance and Projects Manager confirmed that Buckingham Town Council are at the expected number of councillors as recommended by NALC; this will be looked at again in 4 years' time as the number of electors is forecast to have increased to the next threshold..

Cllr. Stuchbury informed Members that the development on the Aylesbury Road next to Wipac will now go to Committee as requested. Two further Members, Cllr. Stuart Wilson and Cllr. Steve Guy, agreed to support a call-in. Cllr. Stuchbury suggested that we write to the Councillors thanking them for their support.

Structural highways issues regarding Osier Way development – Cllr. Stuchbury has raised concerns regarding the highway works delivery programme and has asked for further information of planned cycleways and footways. He is also following up the Top Angel road surface repairs.

213/23.1.1 Members received the response to Cllr Stuchbury's Written Question on Lace Hill s106 Public Transport contribution. Members thanked Cllr. Stuchbury for raising questions.

213/23.1.2 BMKALC Quarterly meeting for Town & Parish Councils.

213/23.1.3 Members received for information and discussion [the slides and Q&A](#) from the 18th July Town & Parish Council Planning & Environment update.

213/23.1.4 Members noted that notification of this meeting was received on Friday 14th July with registration and written questions required by Monday 17th July, and discuss and agree whether to make a formal complaint and to whom.

Cllr. Cole Proposed that this Committee makes a formal complaint to Democratic Services that calling a meeting without adequate notice is contrary not only to good democratic practice, but also to Buckinghamshire Council's own Town and Parish

Charter, which provides for effective, early communication with town and parish councils.

Cllr. Ralph Seconded and Members unanimously **AGREED.**

ACTION TOWN CLERK

Cllr. Try left the meeting at 9:30pm

Cllr. Hetherington left the meeting at 9:33pm

214/23 Updates from representatives on outside bodies

No updates.

Mrs. Cumming left the meeting at 9:35pm

215/23 Buckinghamshire Council Committee meetings

215/23.1 N. Bucks Area Planning Committee (26th July 2023) *Cancelled*
(23rd August 2023) *Cancelled*
215/23.2 Strategic Sites Committee (3rd August 2023) *Cancelled*

The next Select Committees are scheduled for:

215/23.3 Growth, Infrastructure and Housing Select Committee - 21st September 2023
215/23.4 Transport, Environment & Climate Change Select Committee - 14th September 2023

216/23 Enforcement

216/23.1 No new breaches reported.

216/23.2 Members received information on the issuing of an Enforcement Notice: 14 Church Street, MK18 1BY; "Without listed building consent, the unauthorised installation of plasterboard internal stud walls and ceilings and accompanying insulation throughout." The owner is required to "Permanently remove all unauthorised internal plasterboard stud walls and ceilings and accompanying insulation" within 4 months of 1st September 2023. (The Notice is dated 24th July 2023 allowing 5 weeks for an appeal to be made.)

217/23 Rolling lists – updates

217/23.1 Tree felling applications – *for information only, no change from last meeting.*
217/23.2 Land grab reports – *for information only, no change from last meeting.*
217/23.3 Call-in requests – *updated.*
217/23.4 HMO Licences - *for information only, no change from last meeting.*

218/23 Matters to report

No matters to report.

219/23 Chair's items for information

No items.

220/23 Date of the next meeting: Monday 18th September 2023 at 7pm

Meeting closed at 9:38pm.

Chair

Date

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