

PL/06/23

Minutes of the **Planning Committee** meeting held on Monday 6th November 2023 at 7.00pm in the Council Chamber, Town Council Offices, Cornwalls Meadow, Buckingham

Present:

Cllr. M. Cole JP	Chairman
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	

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. F. Davies
Cllr. R. Willett

Public session

The applicant for 23/03078/APP attended the meeting to explain a number of points. He was advised to demolish the building but called in a structural engineer and was informed that the foundations are suitable for a lightweight construction. The applicant advised Members that there are no outstanding issues with water supply or internet cables. The site is already almost entirely covered in hard surfacing and the only addition will be 25 square metres for the new balconies; the development will not worsen the surface water situation. The applicant informed Members that Highways issued four conditions regarding the High Street entrance and that these can be met. This would be ideal car-free accommodation, but some parking will be available, including disabled spaces and EV charging. Cllr. O'Donoghue asked about shared access and the locked gate. The applicant explained that 24 hour access is available.

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

384/23 Apologies for Absence

Members received and accepted apologies from Cllr. Davies and Cllr. Willett.

385/23 Declarations of Interest

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

386/23 23/03078/APP DEFERRED FOR FURTHER INFORMATION

Home Appliances, The Old Telephone Exchange, Market Hill

Two storey roof extension to provide 8no. flats and change of use of the ground floor to provide 1no. residential unit and ancillary residential uses.

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.

1. Concern was expressed that the SuDS officer had declined to comment, based on numerical criteria. It was felt that sites so close to floodable areas should be considered whatever the site area was or number of dwellings affected. Though the area round the building itself was above extreme flood levels, the Anglian Water sewer in the Flood Risk document (drawing 570005-1) connects to a combined sewer running the length of the car park, which does flood (estimated flood level in December 2020 was 82.0m AOD) and the manholes 7901 (cover level 79.04AOD) and 8002 (cover level 78.59m AOD) were well under water, leading to sewage back-up. The foul water from 9 dwellings will be considerably more than a staff toilet generates, and Members would like professional assurance that this will not create a problem for the new residents, or any other premises connected to this sewer.
2. In a document provided to the Town Council Planning Committee at the Public Session preceding the meeting, the applicant included an extract from the Land Registry deed dated 9th February 1983 indicating that occupants of the building have the right to pass and repass, with or without vehicles, at all times along the access from Market Hill. However no response from Royal Mail has been posted within the 21 days comment period from 5th October when the applicant says he served the statutory notice. Times have changed since 1983, and the Royal Mail may be unwilling to allow up to 18 tenants of these 9 flats a key to the gate. Members would like to see their views on this before making comment.
3. Members noted Highways' comments on the parking bays and would like to add that *if* the ground floor flat is to be an HMO there may well be 3 disabled residents requiring parking for their modified vehicles. It was suggested that the other residents be told there is no parking on-site for them, to avoid conflict over the two ordinary bays and possible overflow parking into the Royal Mail's yard, and this could leave the 4th bay for visitors or repairmen requiring access to their van.
4. The access to the ground floor flat involves passing through two doors and the stairwell to reach the ramped access in the private courtyard. None of the doorways shown seem to be enlarged to Part M standards, and power-assisted opening will be needed for the lobby doors. The applicant assured the meeting that he would have his architect look at this.
5. Given the difficult access from Market Hill, Members would like to be consulted on a Construction Management Plan for the site, should the LPA be minded to approve the application.

Members decided that they did not have enough information at the present time to make a reasoned comment on the proposal and deferred their response until the information was provided.

387/23 Minutes

Members agreed the minutes of the Planning Committee Meeting held on 9th October 2023.

388/23 Motion: Proposed by Cllr. Cole:

That Buckingham Town Council's Planning Committee notes with concern that the quarterly Buckinghamshire Council Town & Parish Planning Forum, scheduled for 30th October at The Gateway, was postponed until the new year. The last was on 18th July, which means there will not have been a quarterly (three-monthly) meeting for at least six months. In BMKALC's own words, "the BC Planning Authority invites Town and

Parish Councils to the Forum meeting for the purpose of providing information and system updates, answering of questions and exchange of ideas". The reason given is the lack of a Director of Planning, although we note that there is an interim Director. This state of affairs is unacceptable. It is increasingly difficult to fulfil our roles as planning consultees without the support of the Shire Council, and these continual postponements goes against that Council's own Town and Parish Charter. I therefore propose that this Committee raises a formal complaint with Democratic Services about this continued lack of liaison with and respect for Town and Parish Councils in Buckinghamshire.

Cllr. O'Donoghue Seconded.

Cllr. Stuchbury Proposed an amendment as the Select Committee are meeting on 23rd November: that we also write to the Growth, Infrastructure and Housing Select Committee and the Clerk of that Committee, as they will be discussing planning performance, asking why this is so. Seconded by Cllr. O'Donoghue and unanimously **AGREED** by Members.

The motion was unanimously **AGREED**.

ACTION PLANNING CLERK

389/23 Buckingham Neighbourhood Plan/Vale of Aylesbury Plan/ Buckinghamshire Local Plan

The Chair and the Town Plan Officer are going to Gawcott Parish Council on Thursday to put forward our scenarios from the Neighbourhood Plan. They will also visit the other parish councils.

390/23 North Bucks Parishes Planning Consortium

Members noted the draft minutes of the meeting held on 27th September 2023 and received comments from Cllr. Ralph: NBPPC members received correspondence from Cllr. Hardcastle regarding Shenley Park and the complexity of Buckinghamshire Council's consultations and also the potential multiple use of land in relation to the proposed new Rosefield Solar Farm.

391/23 Action reports

Members received action reports as per the attached list.

Bourton Road roundabout – the Town Clerk explained that the Paragon sign is on a private fence and is therefore not actionable.

Care home access – there have been difficulties in trying to find a contact to follow this up.

Cycleway on Railway Walk – Cllr. Stuchbury will seek an update.

Skatepark – Cllr. Harvey expressed concern that the end shelter will not be replaced. He Proposed that we request a 'before' and 'after' plan. Cllr. O'Donoghue Seconded. Members **AGREED** (Cllr. Schaefer left the room from 19:53 to 19:58 so did not vote).

ACTION DEPUTY TOWN CLERK

Anglian Water sewage overflow - Cllr. Stuchbury asked that we send the original letter again.

The Town Clerk will check this and chase it up.

ACTION TOWN CLERK

392/23 Planning applications

For Member's information the next scheduled Buckinghamshire Council – North Buckinghamshire Planning Area Committee meetings are on Wednesdays 15th November and 20th December 2023 at 2.30pm. Strategic Sites Committee meetings are on Thursdays 23rd November and 21st December 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.

23/02941/APP

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

OPPOSE

Construction of new mansard roof to form 7 dwellings.

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.

1. Members noted that though the red line surrounded the delivery yard at the rear of the building, there was no mention of its possible use for parking or as a safe assembly point in case of fire; indeed, the only exit for the new storey was via the staircase to Market Hill, as the second floor plan (Drawing 05) shows the rear staircase is to be removed and the void filled. This was felt to be an unsatisfactory situation.
2. A Construction Management Plan must insist on deliveries to the rear yard only, as there is no vehicle access from Market Hill at all on Tuesdays and Saturdays due to the market byelaw, and restricted access at other times. The hours of working will also need to be agreed as most of the shops in the town centre have flats in the upper floors.
3. The bin store is to be in the rear yard, which was a long walk from the front door via Moreton Road and Summerhouse Hill. Some means of rear access needs to be maintained, if only for refuse disposal.
4. Though Drawing 08 had been posted as Proposed Bin & Bike Store, there was no detail of or reference to cycle storage there or elsewhere.
5. The proposed uplighters "to articulate external façade details" were considered pointless and a needless source of light pollution, as the building elevation has very low relief, unlike the example photo supplied. It was noted that the signage application for Loungers on the ground floor (23/01981/AAD) had been permitted only if the lettering was not internally illuminated.
6. The D&A Statement appears to be based on a desk study, fails to reference the Buckingham Neighbourhood Plan and the Vision & Design SPD and contains several errors. No mention of the Upper and Lower Shops opposite being Grade II Listed (List entry 1281247) and it is not The Bull Ring (per the Daylight Report) which is the space between Jardine's and 11 Market Square. The numbering goes haywire at Section 6.
7. The Transport Note – as usual – implies the bus services are all-day/every day. The 80 and 83 are school day services only, for Brackley and Silverstone respectively, and are timed accordingly, one each way per day. The 134 is also one per day, into Buckingham and returning 2 hours later, on Tuesdays only. The Amenities map (Fig 3.4) includes a non-existent school on Overn Crescent, but not the Royal Latin School, Verney Park is shown as a park and a community facility when it is a University campus building complex, and the list overleaf (Table 3.3) lists the M&S Simply Food (a small section of the BP petrol station shop) but not the Waitrose supermarket at Cornwall's Meadow. Table 5.1 on p15 lists 9 nearby streets where parking is permitted, with the restrictions on each, and two car parks, so the aim of a car-free development is at best half-hearted. Fig. 6.1 on p16 has the map printed reversed, but its colour overlay correctly, so that it is unintelligible.

23/002971/APP

NO OBJECTIONS

22 Swithin Lane, [St. Rumbold's Fields]

Householder application for single storey rear extension.

23/03189/APP**NO OBJECTIONS**

120 Western Avenue

Householder application for proposed replacement garage with associated internal and external works.

23/03270/APP**NO OBJECTIONS**

13 Cropredy Court

Householder application for single storey front extension.

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.

Amended plans**23/02212/VRC****OPPOSE**

Oddfellows Hall, 48 Well Street

Submission of details to enable the variation to a compliance condition 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).

Amended document: Waste & Recycling collection

Members point out that all 9 flats are advertised as short term lets with vrbo e.g. Central Buckingham Apartment #9 with Free Parking (vrbo.com) at c. £100 a night so this is a commercial enterprise not a student residence as approved, and the Authority should be treating (and charging for) it as such. Members have previously stated that they believe that this development should be classified as Class C1 (hotels, boarding and guest houses), and not Class C3 (dwelling houses), and would expect to see a change of use application.

The aim of "reduce waste generated within the property, promote recycling and responsible waste disposal behaviour among the tenants" is largely irrelevant, as a client willing to pay that charge is going to treat it like a hotel and leave all the waste disposal to the cleaning staff. They certainly will not be sorting their leavings into recyclable and non-recyclable, bagging it up accordingly and putting it in the bin store.

The amenities listed on the site include:

Kitchen with refrigerator, dishwasher, oven, and utensils

Entertainment: television, Smart TV

Game room with pool table

Laundry with washing machine, dryer, and iron & board

Housekeeper included

Parking

(The game room and laundry are in the basement - not the communal kitchen and eating room referred to in the document)

23/02545/AOP**NO OBJECTIONS**

Benthill Farm, London Road

Description has been changed from:

Outline planning application - all matters are reserved save access for erection of 2 dwellings with garages, car parking and landscaping.

To:

The demolition of an agricultural building and an outline Planning Application for the construction of 2 dwellings with garages, car parking and landscaping on land at Benthill Farm. All matters reserved save access.

Amendments reflect compliance with Waste & Recycling requirements, and red line has been altered.

Additional documents

Not in our Parish (Maids Moreton)

23/01636/ADP

NO COMMENT

Land off Walnut Drive and Foscoate Road

Submission of details of siting, design, external appearance, and landscaping for the erection of 163 dwellings pursuant to outline planning permission 16/00151/AOP and discharge of condition 22 (biodiversity net gain) and condition 8 (CEMP) of planning approval 16/00151/AOP.

61 additional documents, including drawings for the Highway Improvements at Main Street/Walnut Drive, Stratford Road and Church Street, and the Construction Access plan, all of which Members have seen before. The remainder deal with matters internal to the site, such as house designs.

Members noted that they had commented previously on the Highway plans and Construction Access plan, and the remainder were not matters for review for this Council. They therefore declined to comment.

393/23 Planning decisions

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

Approved

Application	Site address	Proposal	BTC response
23/01891/AAD	12-13 Market Hill [Loungers]	New fascia signage, projecting sign and menu board <i>The Planning Clerk informed Members that internal lighting must be removed immediately; they will check that this has been complied with.</i>	Oppose ¹
23/01938/APP	36 Chandos Road	Conv. 4-bed house into 7 unit HMO with shared facilities ² <i>The Planning Clerk will write requesting further clarification re. waste management.</i>	Oppose
23/01977/ALB	10 Market Square [banking hub]	New signage and internal alterations	No objections
23/02026/APP	Chandos Road Building car park	Micro energy storage facility ³	No objections
23/02259/APP	12A Cornwall Pl.	Dormer window to match existing	No objections
23/02267/APP	Best Western Hotel, bypass	Use as student accommodation, limited to 5 years	No objections

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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.....

¹ Decision sheet gives condition for illuminated signage, amended drawing shows fascia no longer lit; Planning Clerk checking which is correct

² Altered from original "Conversion of 4-bedroom house into 8 HMO self-contained units with shared facilities" to "Conversion of 4-bedroom house into 7 HMO self-contained units with shared facilities" at 9th October meeting when the amended plans were considered; altered to this description on 11th October when another amended plan was submitted removing all the kitchenettes from the individual units, so they were no longer self-sufficient. 6 of the 7 units still have ensuite shower rooms.

³ Members asked that the fence blend in with the surrounding trees as it was in the CA; it will be a natural wood finish. There are also 6 conditions protecting the trees from damage.

ACTION PLANNING CLERK

Refused

Application	Site address	Proposal	BTC response
23/02456/APP	31 Highlands Rd.	Replacement of front boundary wall (retrospective)	Oppose

Not for consultation

Approved

Application	Site address	Proposal	BTC response
23/02260/ATC ⁴	St Bernardine's Church	Reduce Lime to previous points	No objections
23/02691/ATC	Stoneleigh House, Castle St.	Re-pollard 1 maple to previous points	No Objections
23/02828/ATP	Open space at Bernardines Way	Fell 4 Ash and 1 Hawthorn; crown lift Oak; Pollard Poplar to old tear	No objections

⁴Decision made 24/8/23 but not posted or advised; added to website on request 6/10/23

394/23 Buckinghamshire Council matters

394/23.1 Members received news of Buckinghamshire Council new documents and other information from Buckinghamshire Council Members present.

Cllr. Cole congratulated Cllr. Schaefer on her election as a Buckinghamshire Councillor.

Cllr. Stuchbury:

- Informed Members that Lace Hill roads have now been adopted. Members expressed their thanks to the Planning Clerk and Cllr. Stuchbury.
- Has been chasing up the situation around two developments: there has been no response on Osier Way and the drainage/sewage issues; he has written again to request information. He has written seeking more clarity around the proposed development close to Wipac.
- Regarding the drainage/flooding issues on London Road, Gawcott Road and Bourton Road, he will be going to Cabinet to ask whether they have enough resources to fund the required work.

- Regarding postal issues, he has been assured that more temporary staff are being appointed and the backlog of post is being addressed.

394/23.2 (Min. 673/22.3 refers) Members received the decision on the consultation on new (individual) disabled parking bays in Grenville Road and Whitehead Way: both applications have been withdrawn.

395/23 Updates from representatives on outside bodies

Members received verbal updates from Councillors.

Mrs. Cummings drew Members attention to the new Levelling Up Bill which she understands has abandoned the need for a local council to have a 5 year supply if there is a local plan in place and has also withdrawn the need for duty to cooperate. The Chair responded that the Neighbourhood Plan Working Group are aware of this and are being advised by our consultants.

Cllr. Harvey asked for advice about planning permission regarding wheelchair accessible plinths for park benches planned by the League of Friends. The Planning Clerk does not think that planning permission would be necessary.

396/23 Buckinghamshire Council Committee meetings

- 396/23.1 N. Bucks Area Planning Committee (18th October 2023) *Cancelled*
- 396/23.2 Strategic Sites Committee (19th, 23rd & 26th October 2023) *26th Cancelled*
- 396/23.3 Growth, Infrastructure and Housing Select Committee (23rd November 2023)
- 396/23.4 Transport, Environment & Climate Change Select Committee (9th November 2023)
- 396/23.5 Buckinghamshire Council Planning Forum (30th October 2023) *Cancelled*

397/23 Enforcement

No new breaches reported.

398/23 Rolling lists – updates

- 398/23.1 Tree felling applications.
- 398/23.2 Land grab reports – *no change*.
- 398/23.3 Call-in requests.
- 398/23.4 HMO Licences – *no change*.

399/23 Matters to report

Cllr. Cole: the Gawcott Road footpath has already been discussed. Page Hill footpaths update: the large potholes have been marked.

Cllr. Harvey: dropped kerbs are not present where they should be and have been reported.

Mrs Cumming: a tree has been broken on Gawcott Road roundabout. The Planning Clerk will raise this with the Estates Manager.

Cllr. Ralph: the cemetery road signs are still there.

400/23 Chair's items for information

Buckingham Town Council was represented at the 6 day appeal inquiry into the Moreton Road Phase III planning application which was called in by the Secretary of State after Buckinghamshire Council approved the development of 130 houses. It concluded with a site visit by the inspector at which we were also represented. The Chair thanked Cllr. Ralph, the Planning Clerk and the Deputy Town Clerk for their assistance and attendance. The Secretary of State is scheduled to receive the Inspector's conclusion on or before 13th December 2023.

Members thanked staff and Councillors for their commitment.
The Town Clerk praised the Planning Clerk's outstanding work and recognises the time, commitment and energy that went into this. The Town Clerk also praised the Deputy Town Clerk's contribution which was commended by Barratt's barrister.

401/23

Date of the next meeting:

Monday 27th November 2023, following an Interim meeting of the Full Council

Meeting closed at 20:42

Chair

Date

DRAFT