

PL/12/23

Minutes of the **Planning Committee** meeting held on Monday 25th March 2024 at 7.00pm in the Council Chamber, Town Council Offices, Cornwalls Meadow, Buckingham

Present: Cllr. M. Cole JP Chairman
 Cllr. L. Draper
 Cllr. J. Harvey
 Cllr. A. Mahi
 Cllr. J. Mordue
 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
 Mr. S. Beech Compliance and Projects Manager
 Ms. P. Cahill Committee Clerk
 Mrs. K. McElligott Planning Clerk

Absent: Cllr. F. Davies
 Cllr. L. O'Donoghue

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

703/23 Apologies for Absence

Members received and accepted apologies from Cllr. Davies and Cllr. O'Donoghue.

704/23 Declarations of Interest

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

Cllr. Schaefer declared an interest, as a neighbour, in application 24/00558/APP.

Cllr. Try declared an interest, as a neighbour, in application 24/00673/APP.

705/23 Minutes

Members agreed the minutes of the Planning Committee Meetings held on 5th February 2024 and 26th February 2024.

**706/23 Buckingham Neighbourhood Plan/Vale of Aylesbury Plan/
Buckinghamshire Local Plan**

706/23.1 Cllr. Cole informed Members that there was a meeting of the Buckingham Neighbourhood Plan Working Group held last week and everything is proceeding well and on schedule.

706/23.2 Members received and discussed a verbal report from the Chairman on the latest revision to the NPPF (December 2023) and its local impact on housing supply and a presumption of sustainable infrastructure in new developments.

Cllr. Cole reminded Members that the Department of Levelling Up, Housing and Communities made some changes in December 2023. The main points of this are, if you have a Neighbourhood Plan made within the last 5 years, you no longer have to demonstrate 5-year housing supply and there is a presumption that any new development must have sustainable infrastructure; this applies to all new plans validated from December 2023. Cllr. J. Mordue questioned whether food security has been considered if prime farmland is built on. Cllr. Cole explained that, in the approval for the appeal for Moreton Road Phase III, the Secretary of State did acknowledge that there was medium to prime farmland involved but that was outweighed by the need for the development. Cllr. Stuchbury asked if we could write to the NFU to ask how the farming industry sees this new legislation? The Compliance and Projects Manager informed the Chair that this would need to be included on a future agenda (May).

ACTION PLANNING CLERK

707/23 Motion: Cllr. Stuchbury

Reference the s106 condition on 15/01218/AOP to provide a 3-metre-wide pedestrian route with street lighting along the route shown by the blue shading on Plan 1 *[from Tingewick Road via the Scenic Walk and Railway Walk to the bypass]* in order to connect new residents of the Development to the Royal Latin School, University of Buckingham, Buckingham town centre and outlying shops services and communities.

That Members seek an update from Buckinghamshire Council on their plans for progressing the implementation of this s106 clause in a timely manner per the terms of the Agreement's Highways Obligations section reproduced below, as the monies stipulated have all been paid, to enable Buckingham Town Council to plan any works associated with their own property.

6. The Owner covenants with the County Council not to cause or permit the Occupation of each

Phase until:

6.1 the details of the Footway/Cycleway Works serving that Phase have been submitted to and approved in writing by County Council; and

6.2 the Footway/Cycleway Works serving that Phase have been laid out and constructed in accordance with the details approved in writing by the County Council

Cllr. Stuchbury reminded Members that there is a time limit for using s106 monies. Cllr. Draper Seconded. Cllr. Stuchbury confirmed that he has already discussed this with the Cabinet Member.

Cllr. Cole asked what role Enforcement is playing in this. Cllr. Stuchbury said that he has tried everything he can and that there is a legal obligation to deliver this.

Member unanimously **AGREED.**

708/23 North Bucks Parishes Planning Consortium

The next meeting is on 17th April 2024 and Cllr. Ralph will report at the May Planning Committee meeting.

709/23 Buckinghamshire Council press release – Shenley Park Development Guidelines

Members received and discussed a press release from Buckinghamshire Council. Cllr. Cole confirmed that Milton Keynes Council will not receive any of the s106 monies and it is unlikely that they would want the development to be part of the City. The Compliance and Projects Manager told Members that we will check if Milton Keynes Council responded to the development.

ACTION PLANNING CLERK

710/23 Buckinghamshire Council/BMKALC Quarterly Planning Forum meeting (27th February 2024)

Members received a report from Cllr. Cole on the Quarterly Forum meeting and discussed and agreed any action resulting from the points raised.

The meeting slides are [here](#).

Cllr. Cole asked two questions raised by the Planning Committee meeting in February. The first was about not being notified of validated planning applications for several weeks. Buckinghamshire Council's Development Manager acknowledged that there are delays in validating planning applications throughout the County due to resource issues and receiving a large number of significant planning applications; they are working hard to resolve this. The second question related to other Neighbourhood Plans: there are now 38 'made' plans and 40 more in preparation in the County.

711/23 Action List

Members received and discussed the action reports.

Cycleway in Moreton Road – the county officer has passed this to Finance to check receipt and use of the funding.

Growth and Infrastructure Select Committee regarding comments made - Cllr. Strachan said that he would take advice from officers before replying to us. The Town Clerk will chase this up after Easter.

ACTION PLANNING CLERK

Inclusion of a standard paragraph in responses – the Town Clerk does not recommend this as each response should be discussed in full at a public meeting.

St. Rumbold's Field access – taken up by the Buckinghamshire Planning Officer but no response to date.

Cllr. Harvey queried the loss of the action regarding writing to the bus company about coach 737. The Compliance and Projects Manager will discuss this with the Town Clerk.

ACTION COMPLIANCE AND PROJECTS MANAGER

712/23 Planning applications

For Member's information the next scheduled Buckinghamshire Council – North Buckinghamshire Planning Area Committee meetings are on Wednesdays 10th April and 22nd May 2024 at 2.30pm. Strategic Sites Committee meetings are on Thursdays 11th April and 9th May 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.

Cllr. Schaefer and Cllr. Stuchbury left the meeting at 7:41pm.

24/00558/APP

OPPOSE

45 Redshaw Close

Householder application for first floor rear extension

Having declared an interest, Cllr. Schaefer absented herself from the Chamber during the discussion of the application and did not vote.

Cllr. Stuchbury also left the Chamber for the same period.

Members noted that there was no blue line on the plan to indicate ownership of a garage or parking space, and that there was a discrepancy between the red line boundaries on the location and block plans. There was therefore no means of telling whether the applicant has any, still less the required 3, parking spaces required for a four-bedroom house. The staggered nature of the building line meant that the proposed extension would lead to loss of light to the neighbouring property and create a more enclosed feel to the (unlit) public path to Windmill Close, which affects the open nature of the estate's design. Concern was also expressed about the build quality of the previous extension and its connection to the neighbour's wall and the consequent deleterious effect on the neighbouring property of the building works.

Cllr. Schaefer and Cllr. Stuchbury returned to the meeting 7:46pm.

24/00658/APP

NO OBJECTIONS

18 Hilltop Avenue

Conversion of existing part integral external store/utility room into habitable room. Provide new double glazed window to front and block up remaining opening to match existing.

Cllr. Stuchbury took no part in the discussion of this application and did not vote on the response.

24/00671/ALB

NO OBJECTIONS

9 Bristle Hill

Listed Building application for replacement of rear door.

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. Stuchbury took no part in the discussion of this application and did not vote on the response.

24/00673/APP

NO OBJECTIONS

15 Wharf View

Householder application for two-storey side extension.

Having declared an interest, Cllr. Try abstained from voting on the application.

Cllr. Stuchbury took no part in the discussion of this application and did not vote on the response.

Members noted that the extension roof ridge was not noticeably subsidiary but agreed that nevertheless the proposal improved the appearance of the house and raised no objection. They did suggest that the opportunity of work on the roof could be used to install solar panels and a grey water re-use system.

The following two applications were considered together:

24/00677/APP & 24/00678/ALB

NO OBJECTIONS (internal alterations)

White Hart Hotel, 2 Market Square

OPPOSE (external alterations)

Planning application for, *and* Listed building application for internal alterations to the existing breakfast room. External works within the rear garden including replacement of the existing smoking shelter, erection of two pergolas, installation of festoon lighting and other general improvement works.

Cllr. Stuchbury took no part in the discussion of these applications and did not vote on the response.

Subject to the satisfaction of the Heritage Officer, Members felt that the levelling of the floor and creation of an accessible toilet were acceptable alterations.

However they expressed concern that the lighting proposed for the lower patio would encourage customers to remain later in that area and cause noise nuisance to the residents in the adjacent flats. The style of lighting proposed was also inappropriate to an area with several Listed Buildings and in the Conservation Area.

24/00744/ALB

NO OBJECTIONS

55 Well Street

Listed Building application for insertion of flue and fittings to chimney C1

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. Stuchbury took no part in the discussion of this applications and did not vote on the response.

24/00775/APP

NO OBJECTIONS

17a Western Avenue

Householder application- erection of part single/part double storey rear extension.

Cllr. Stuchbury took no part in the discussion of this application and did not vote on the response.

24/00798/AAD

NO OBJECTIONS

22 Bridge Street, MK18 1EL

Display of 3No fascia signs and 4No window advertisements. (Retrospective)

Cllr. Stuchbury took no part in the discussion of this application and did not vote on the response.

24/00811/APP**NO OBJECTIONS**

76 Western Avenue

Householder application for single storey side and rear extension and erection of replacement garden building for home gym.

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. Stuchbury took no part in the discussion of this application and did not vote on the response.

24/00830/APP**NO OBJECTIONS**

12 Pillow Way

Householder application for single storey rear infill 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.

Cllr. Stuchbury took no part in the discussion of this application and did not vote on the response.

24/00874/APP**NO OBJECTIONS**

39 Burleigh Piece

Householder application for garage conversion into habitable space and link from garage to main house.

Cllr. Stuchbury took no part in the discussion of this application and did not vote on the response.

Members noted that a number of garages on the estate had already been converted to residential use, and that the drive was long enough to accommodate three vehicles, but that a shared garage was unlikely to have a thick enough dividing wall to give good insulation.

Amended plans**22/04135/APP****NO OBJECTIONS**

Bin Store 1 – 31 Candleford Court

Demolition of timber structure and erection of new structure with generator. Relocation of the car park extract ventilation fans externally within a purpose-built structure.

Cllr. Stuchbury took no part in the discussion of this application and did not vote on the response.

Members were pleased to see action being taken to tidy up this area on a major entrance to the town centre in the Conservation Area, but had concerns about the doors on the bin store being left open, which could be noisy and prone to damage, and recommended that no doors be installed on this part of the building.

23/03607/APP**OPPOSE (NO CHANGE) and CALL IN**

Land between N^o38 Moreton Road and The Old Police Station, N^o50 Moreton Road
Erection of 7N^o dwellings with access, car parking, landscaping, and associated works.

Cllr. Stuchbury took no part in the discussion of this application and did not vote on the response.

Members noted the Forestry Commission's classification of this site as woodland, which had not been apparent during previous applications, though the clearance of the site had been deplored; and that an Enforcement Notice to restore the previous planting had been served requiring 286 trees spread over the entire site. They therefore agreed to support the Forestry Commission's action and the Tree Officer's comments, to continue to oppose development of the site, and to call the application in.

MEMBERS NOTE THIS IS UNIQUE IN THEIR EXPERIENCE AND FEEL DISCUSSION IN COMMITTEE WOULD BE OF VALUE

Cllr Harvey enquired whether other parts of the town are similarly classified as woodland and whether the Council could initiate this for areas we think should be protected.

ACTION PLANNING CLERK

23/03977/APP**NO OBJECTIONS**

Well Street Centre, 61 Well Street

Change of use of rear part of building from Use Class E(f) (Day Centre) to Use Class F1(a) (Sixth Form School), external alterations comprising new ramped entrance, replacement front door, the removal of existing vehicular access gates, proposed new vehicular access and pedestrian gates, removal and installation of fencing, construction of brick pier and boundary wall, revised parking layout and provision of two storage sheds and polytunnel.

Cllrs. Schaefer and Stuchbury abstained from voting on the following application as it was likely to go to Committee as a Buckinghamshire Council proposal.

Members noted the new travel plan and changes to the parking on site, but expressed concern that Well Street was unsuited to on-street parking, whether of residents displaced from parking in the yard or construction vehicles. They would like to see a Construction Management Plan which stipulated parking within the site whenever possible.

713/23 Planning decisions

713/23.1 Members received for information details of planning decisions made by Buckinghamshire Council.

Approved

Application	Site address	Proposal	BTC response
22/02689/ADP	Land at Osier Way	Phase 1 (121 dwellings & ancillary works)	Oppose*
23/02545/AOP	Benthill Farm, London Road	Demol. agricultural bldg; outline permission for 2 dwellings, garages & parking. All matters reserved except access.	No objections subj. Waste & Recycling
23/02941/APP	12-13 Market Hill [M&Co]	Part second floor extension and new mansard roof to form 7 flats	Oppose **
23/03590/APP	4 Tingewick Road	Remove roof and construct a new upper storey to office building	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.....

23/03861/APP	Castle Street	ANPR camera & column for Villiers' Hotel car park	No objections subj.
23/03877/ALB	3 Castle Street	7 car parking signs in Villiers' Hotel courtyard	satisfaction of Highways & Tree Officers
24/00085/APP	7 Krohn Close	S/st side & 2/st rear extension/ annexe (amendment to 20/01018/APP)	Oppose & call-in
24/00147/APP	106 Pillow Way	Single storey rear extension	No objections
24/00400/APP	8 Honeycomb Way	S/st rear extension & conv. Garage	No objections

* Decision is dated 28th February 2024

** Members listed 7 reasons to oppose (6/11/23), and new & amended plans dated 2024 (not consulted on) have addressed these to some extent as below

- lack of reference to parking in the yard behind the building;
- need for a Construction Management Plan requiring delivery vehicles to use the yard and not Market Hill; *no CMP, but decision sheet contains the usual "Informative" note that vehicles must not park so as to cause an obstruction;*
- no obvious access to refuse bins in rear yard; *there is a door and steps at the rear of the first floor to the yard; occupants of the second and third floors will have to descend the front staircase to the first floor and walk the length of the first floor to this door to take their rubbish out (and also to access the cycle racks);*
- no details of the cycle storage; *new drawing shows 3 uncovered vertical cycle storage racks housing 6 cycles each in the rear yard against the boundary wall at the rear of The Whale;*
- uplighters on the front elevation unnecessary; *the Heritage Officer agreed, and the uplighters are specifically barred in the decision sheet, and will require a separate application and approval if wanted;*
- errors in the D&A Statement;
- misinformation in the Transport Statement.

Refused

Application	Site address	Proposal	BTC response
24/00227/ALB	55 Well Street	Insertion of partitions and cellar vents	No objections subject to satisfaction of Heritage Officer
24/00243/APP	Alder House, Verney Close	Convert undercroft to 1 bed flats; erection of bin store and cycle store	No objections (conversion); more info required (stores)

Withdrawn

Application	Site address	Proposal	BTC response
23/03907/APP	36 Chandos Rd.	HMO extension to create another 5 rooms	Oppose

Not for consultation

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Initial.....

Approved

Application	Site address	Proposal	BTC response
24/00286/ATP	Church green	Copper Beech – maintenance works	No objections
24/00287/ATC	Church green	Copper Beech – maintenance works	No objections
24/00385/ATC	9 Moreton Road	Conifer – fell (damage to retaining wall)	No objections, but request replacement ***

*** Replanting with Whitebeam or Wild Cherry specified.

Refused

Application	Site address	Proposal	BTC response
24/00378/CPL	18 Hilltop Ave.	Conv.of garage to habitable room	No objections

713/23.2 Appeals

713/23.2.1 **20/00510/APP** Land at Castlemilk, Moreton Road (Secretary of State call-in) Erection of 130 dwellings, associated access and parking, landscaping and amenity space and the change of land from agriculture to use as sports pitches/recreational open space and informal open space. Secretary of State has allowed the appeal.

713/23.2.2 **23/02456/APP** 31 Highlands Road: Replacement front boundary wall (retrospective) Appeal against Refusal. Inspector has allowed the appeal.

714/23 Buckinghamshire Council matters

714/23.1 Members received news of Buckinghamshire Council new documents and other information from Buckinghamshire Council Members present.

Cllr. Stuchbury:

Progression has been made at the archaeological site at West End Farm. DNA analysis of the bones has begun.

The Anglian Water response to the Osier Way application is contradictory. Awaiting a response regarding clarification about drainage and sewage.

Informed Members that the A421 was discussed today at the Cabinet meeting.

714/23.2 Members received a verbal report from Cllr. Schaefer on the members' workshop on the application for the land behind Manor Park in Maids Moreton, (6th February 2024).

Cllr. Schaefer explained that this is about Reserved Matters, and the developers are now amending their proposals; it will then go back into consideration.

Cllr. Schaefer also visited and observed the flood risk management at Leckhampstead. Buckinghamshire Council, with the aid of a charity and

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Initial.....

landowners, has put measures in place in the catchment area to hold water temporarily and release it slowly. This may be enough to decrease river levels by half a metre which could alleviate flooding in the area.

714/23.3 Consultation - Street Trading Policy

Members discussed and agreed a response to the survey questions attached or (if time does not allow this) to agree that the Clerk will respond on behalf of the Committee.

The draft policy is [here](#).

Cllr. Harvey Proposed that we only answer question 1 of the survey stating that we strongly disagree with the proposal to introduce street trading controls, and particularly take issue with some of the conditions outlined in section number 12 on unspent convictions; we question whether this would meet the conditions of the Equalities Act. There is no evidence to justify this at all. A blanket policy would be disproportionate and unfair and would severely impact small businesses. Additional objections and observations were made by members. Cllr. Ralph Seconded and Members unanimously **AGREED**.

ACTION COMPLIANCE AND PROJECTS MANAGER

715/23 Updates from representatives on outside bodies

There were no updates.

716/23 Buckinghamshire Council Committee meetings

716/23.1 N. Bucks Area Planning Committee (14th February 2024) *Cancelled*
(13th March 2024) *No Buckingham applications*

716/23.2 Strategic Sites Committee (15th February 2024) *Cancelled*
(14th March 2024) *Cancelled*

716/23.3 Growth, Infrastructure and Housing Select Committee (15th February 2024)
Members noted that an update on CIL/s106 was on the agenda and the meeting can be viewed [here](#).

716/23.4 Transport, Environment & Climate Change Select Committee (28th March 2024).
Nothing relevant to Buckingham on the agenda.

717/23 Enforcement

Members had observed the following and asked the planning clerk to investigate what action, if any, was required:

Leaders 'To Let' board in the ditch on the bypass.

LED barber pole at The Barbers, Buckingham.

Osier Way – cutting down of trees has been reported.

ACTION PLANNING CLERK

718/23 Rolling lists – updates

718/23.1 Tree felling applications *updated*

718/23.2 Land grab reports *no change*

718/23.3 Call-in requests *updated*

718/23.4 HMO Licences *no change*

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Initial.....

719/23 s106 Quarterly update

Members received and discussed an updated spreadsheet.

Cllr. Harvey queried if there was any remaining money from the skatepark? The Planning Clerk has asked this and believes there is not a lot left.

Cllr. Harvey Proposed that we write to the Shire Council stating that we are very concerned that the town is missing out on benefits as a result of non-implementation of s106 agreements and asks for a significant review and feedback. Cllr. Draper Seconded and Members unanimously **AGREED.**

ACTION PLANNING CLERK

720/23 Annual statistics

Members received the statistical breakdown of 2023 applications.

The Planning Clerk pointed out that we are maintaining our number of applications and drew attention to the fact that 69% of the North Bucks Area Committee meetings were cancelled, more than any other of the 5 Area Committees. Tree applications have halved, and the small number of undecided applications shows that county is catching up with the backlog.

721/23 Matters to report

Cllr. Mahi reported a sign advertising pizza on the grass verge on the bypass near Burleigh Piece.

Cones on bypass – Cllr. Stuchbury understands that work will be carried out overnight tonight.

Cllr. Harvey suggested that we ask the Highways Department what process was used to decide that the collapsed drain, when inspected the evening before, did not need immediate action. Cllr. Cole suggested that this could be tied in with a request about the Eastbound bypass just before the junction with Badgers.

Mrs. Cumming informed Members that the dead tree on the roundabout by the Ring Road Garage is still there.

722/23 Chair’s items for information

No items.

723/23 Date of the next meeting:

Monday 22nd April 2024 following the Interim meeting of the Full Council.

Meeting closed at 9:48pm

Chair Date