

Minutes of the meeting of the **DEVELOPMENT CONTROL PANEL** held on **THURSDAY 21 JANUARY 2021** at 7:00 pm.

Present: Councillor: Brown (Chair)
Councillors Exon, Lancaster, McLean and Wallis.

Officers: C Nash (Development Management Manager), P Keen (Team Leader (East) - Development Management), C Chan (Planning Officer), S Shaban (Planning Officer), S Peart (Conservation Manager), N Roy (Principal Solicitor) and D Imbimbo (Committee Manager).

DCP18 WELCOME AND INTRODUCTIONS

The Chair welcomed Councillors, Officer Colleagues and the Public to the online meeting and explained the procedures to be adopted.

DCP19 DECLARATIONS OF INTEREST

None were made.

DCP20 REPRESENTATIONS ON APPLICATIONS

Mr G Miller, Ms T Banner (representation read by Committee Manager), Mr S Hall, Parish Councillor Grindley, (Old Woughton Parish Council), and Councillor Baines (Ward Councillor) spoke in objection to applications: 20/02611/FUL Conservation and repair works, alterations and extensions to the main dwelling and curtilage building (Resubmission of 20/00824/FUL) and 20/02612/LBC Listed Building consent for conservation and repair works, alterations and extensions to the Grade II Listed dwelling and Listed curtilage building. (Resubmission of 20/00825/LBC) at 5 The Green, Woughton on the Green, Milton Keynes.

The Applicant's agent, Ms K Teideman-Barrat, exercised the right of reply.

Councillor Thomas (Central Milton Keynes Town Council) spoke in objection to Application 20/02664/FUL, Installation of openable casement windows on upper floors to front and side elevations only at Station House, 500 Elder Gate, Central Milton Keynes, Milton Keynes.

The Applicant's Agent Ms St. Pierre exercised the right of reply.

DCP21 APPLICATIONS

20/02611/FUL CONSERVATION AND REPAIR WORKS, ALTERATIONS AND EXTENSIONS TO THE MAIN DWELLING AND CURTILAGE BUILDING (RESUBMISSION OF 20/00824/FUL) AT 5 THE GREEN, WOUGHTON ON THE GREEN, MILTON KEYNES FOR MS A ZEINA.

The Chair invited the Panel to hold a single debate in respect of the application and the associated Listed Building Consent application, but advised that two separate votes would be taken.

The Senior Planning Officer introduced the applications with a presentation. It was confirmed that the recommendation remained to grant the applications subject to the conditions detailed in the Panel Report and published update papers.

The Panel heard from objectors who, in summary, made the following comments relating to planning policy;

- The property has been allowed to deteriorate over the course of the years and previously granted applications have not materialised in improvements or conservation of the property.
- If planning permission was to be granted it should be for the sympathetic conservation of the historic buildings.
- Any permission granted should be subject to a short period for implementation requiring at least preservation work to be carried out; a three year start time will see further delay and deterioration of the properties.
- There remains a compelling case for a Compulsory Purchase Order to be applied to the property.
- There should be pre-conditions applied to any permission including a requirement to assess and review the suitability of the current usage of the site and the placement of large container units within its curtilage.
- A complete structural analysis should be conducted and conditions requiring an investigation into the underpinning processes previously used
- There should be a condition preventing the use of mechanical equipment to ensure the safety and integrity of the building.
- Any scaffolding should be erected taking account of the potential risk to damaging the adjacent property.
- There is little detail in the applications in respect of what materials will be used and what existing material is proposed to be re-

used.

- There remain concerns in respect of the use of inappropriate methods of underpinning and protecting the foundations and the risks to adjacent properties.
- The proposed drainage scheme makes no provision for the alleyway between the buildings and should be included in the analysis referred to in condition 6.
- It is not clear whether the consent applied for includes the activities currently being undertaken on the old farmyard.
- The Parish Council wants to see the conservation and restoration of the two listed buildings at 5 The Green, however the application is not sympathetic to that outcome, particularly as it includes the demolition of the outbuilding, known as The Old Butchers Shop.
- The bricking up of a door is not in keeping with restoring the building.
- The blocking up of 5 windows on the west elevation is not appropriate.
- Concrete paving to the front driveway is not in keeping with any of the other properties in the Conservation Area where the prominent driveway materials are gravel.

The Applicant's Agent told the Panel that all plans had been drawn up taking full account of the conservation requirements of the property and had been drawn up over a period of time undertaking full use of the pre-application process to ensure a fully compliant scheme.

The Panel heard that the Heritage Statement underpinned the principle of a project to conserve and preserve the building in line with accepted sympathetic procedures.

The existing outbuilding would be demolished and replaced with an annex that would have a defined use for elderly family members and has an associated glazed link with the main house.

Members of the Panel, in response to questions heard from the Senior Planning Officer and

Conservation Manager that;

- Condition 9 in the 'FUL' application was a 'notwithstanding submitted plans' condition and would enable Officers to ensure that appropriate and sympathetic materials were used for the front driveway.
- Reference was made to some containers on site; these have been removed from the latest block plan and do not form part of the application and would be dealt with under alternative measures.
- Condition 4 in the 'LBC' application requires a schedule of works including details and specification of all proposed materials and methods to be used, this would need to be submitted and agreed in advance of any works being undertaken.
- A shorter time limit was acceptable, however taking account of the number of pre-commencement conditions it was recommended that a minimum of 2 years be agreed. It was noted that the time referred to was the commencement time, it was not possible to apply a 'finish' timescale on an application.
- The property was recorded on the 'at risk' register.
- Whilst an urgent works notice was served on the previous owner, and complied with, there have been no recent, enforcement or urgent works notices served due to the owner taking action; however, there has been a significant history of the Conservation Team working to seek to ensure work is undertaken to conserve the property. Due to the on-going pre-application discussions an application for a Compulsory Purchase Order would fail.

Councillor Brown, seconded by Councillor Exon, proposed that the Officer recommendations to grant planning permission and Listed Building Consent subject to the conditions detailed in the Panel reports be agreed.

Councillor McLean stated that he believed that it was essential that the commencement period was shortened and that there was a need to ensure that

any approved materials, particularly those relating to the drive, were in keeping with the rest of the Conservation Area.

The Panel heard that should it be required additional wording could be added to the wording of the condition relating to the materials to ensure that the drive was gravel rather than concrete blocks, the Development Management Manager recommended that words similar to 'that the materials in respect of the drive should be of gravel' be added to condition 9 of the FUL application.

Councillor McLean proposed that Condition 9 be amended to include words to the effect 'that the materials in respect of the drive should be of gravel' and that the final wording of the Condition be delegated to the Head of Planning to agree in consultation with the Chair and Vice Chair. Members of the Panel indicated that they supported the amendment and the Chair, as proposer of the original motion, accepted the amendment.

It was noted that there was reference to 'informatives' in the Panel report but they did not form a part of the recommendation, the Development Management Manager advised the Panel that it was not unusual for informatives to be added to a Decision Notice before it was issued.

The Chair indicated that he would discuss the issues of informatives with the Head of Planning in general terms.

Following a short discussion, the Panel agreed by acclamation to change the commencement date condition from 3 to 2 years in respect of both applications. The Panel agreed to delegate the final wording of the condition to the Head of Planning in consultation with the Chair and Vice Chairs.

On being put to the vote the proposal to grant the application subject to the conditions detailed in the Panel report and published update papers, amended to set the commencement date to 2 years and an amendment to condition 9 to reflect the requirement for the drive to use gravel rather than block concrete paving, was carried with Councillors Brown, Exon Lancaster and Wallis voting in favour and Councillor McLean voting against.

RESOLVED –

That the application be granted subject to the conditions detailed in the Panel Report and published update papers amended to reflect an

amendment to the commencement date to within 2 years of the permission being granted and an amendment to condition 9 to reflect that the driveway be constructed of gravel, with the final wording of the conditions to be delegated to the Head of Planning in consultation with the Chair and Vice Chair.

20/02612/LBC

LISTED BUILDING CONSENT FOR CONSERVATION AND REPAIR WORKS, ALTERATIONS AND EXTENSIONS TO THE GRADE II LISTED DWELLING AND LISTED CURTILAGE BUILDING. (RESUBMISSION OF 20/00825/LBC) AT 5 THE GREEN, WOUGHTON ON THE GREEN, MILTON KEYNES FOR MS A ZEINA.

The application was considered together with application 20/02611/FUL, as detailed above.

On being put to the vote the proposal to grant Listed Building Consent subject to the conditions as detailed in the Panel report and published update papers, amended to reflect a commencement date to within 2 years of the permission being granted was carried with Councillors Brown, Exon Lancaster and Wallis voting in favour and Councillor McLean voting against.

RESOLVED –

That the application be granted subject to the conditions detailed in the Panel Report and published update papers amended to reflect an amendment to the commencement date to within 2 years of the permission being granted, with the final wording of the conditions to be delegated to the Head of Planning in consultation with the Chair and Vice Chair.

20/02664/FUL

INSTALLATION OF OPENABLE CASEMENT WINDOWS ON UPPER FLOORS TO FRONT AND SIDE ELEVATIONS ONLY AT STATION HOUSE, 500 ELDER GATE, CENTRAL MILTON KEYNES, MILTON KEYNES FOR PERMITTED DEVELOPMENTS INVESTMENTS NO 13 LIMITED.

The Senior Planning Officer introduced the application with a presentation, the Panel heard that the Officer recommendation remained to grant the application subject to the conditions as detailed in the Panel report and published update papers.

The Panel was reminded that the office units had been granted permission to be converted to residential units and that under the approved

scheme they benefitted from mechanical fresh air systems. The application sought to allow natural air to be circulated in the units.

The representative of the Town Council objected to the application on the grounds that the proposals were not in keeping with the original design and that the inclusion of the opening windows would see the lines of the building interrupted.

The fact that the two buildings either side already have opening windows should not be seen as reason to grant the application as the central building was the dominant feature and the other buildings subservient to it.

It was the view of the Town Council that the application should be refused as the proposal would cause harm to the non-designated heritage asset, in contravention of Policy HE1 of Plan MK

The Applicant's Agent told the Committee that permission had been granted to convert the property into 200 residential units, the property was not listed and had not been locally listed as a heritage asset, and that an application to list the building had been refused. The need for the opening windows was for the amenity of future occupants who should not have to rely entirely on mechanically circulated air.

The Panel heard that the design was such that it would be sympathetic to the existing building.

It was further noted that the Conservation Officer had not raised any objection to the proposals and explained to the Panel why this was the case.

The Senior Planning Officer told the Panel that policy HE1 had been considered and was covered within the report.

The Panel noted that permission had been granted with mechanical ventilation as the only option and therefore the potential to refuse would not have an impact on the Council's Housing Supply.

It was also noted that the amendment to the conditions in the published update paper resulted in an ambiguous timescale for the installation of the windows and the mechanical ventilation systems.

The Senior Planning Officer explained that the application having been granted and occupation of the units permitted with the mechanical ventilation only, it would not be reasonable to require all units to be completed prior to the ability of the developer to install the opening windows.

The Development Management Manager suggested that should the Panel be minded to, a further amendment to the condition could be agreed to require the mechanical ventilation to be completed prior to the installation of the windows on a unit by unit basis.

The Senior Planning Officer confirmed that Condition 3 would require the specification of the opening windows to be submitted and agreed prior to any installation, this would allow a full understanding of the proposals in respect of how much the windows will open.

Councillor Brown, seconded by Councillor Exon, proposed that the Officer recommendation to grant planning permission subject to the conditions detailed in the Panel report and published update report be agreed.

Councillor McLean expressed concern in respect of how the proposals would support the Council's sustainability policies as there was a high likelihood that the windows would be opened at the same time as the mechanical ventilation would be used when temperatures were higher.

Councillor Brown asked the Panel if it supported a further amendment to condition 5 to require the installation of the mechanical ventilation prior to the installation of the casement windows on a unit by unit basis, and that the final wording of the condition be delegated to the Head of Planning in consultation with the Chair and Vice Chair, the amendment was agreed by acclamation.

On being put to the vote the proposal to grant the application subject to the conditions as detailed in the Panel report and the published update paper together with the additional amendment to condition 5 was carried on the Chair's casting vote in favour, Councillor Brown having voted for, Councillor McLean voting against and Councillors Exon, Lancaster and Wallis abstaining.

RESOLVED –

That planning permission be granted subject to the conditions as detailed in the Panel report and the published update paper together with the additional amendment to condition 5 to reflect that the installation of the casement windows be subject to the prior installation of the mechanical ventilation system on a unit by unit basis, the final wording of the condition to be delegated to the Head of Planning in consultation with the Chair and Vice Chair.

20/02399/FUL

INSTALLATION OF 5 CONDENSERS AND ASSOCIATED WORKS (PART RETROSPECTIVE) AT 160 RAMSONS AVENUE, CONNIBURROW, MILTON KEYNES FOR MR ANEES BADURUDEEN.

The Chair advised the Panel that the applicant had withdrawn the application and therefore the item would not be considered.

20/02491/FUL

PROPOSED SINGLE AND TWO STOREY REAR EXTENSIONS AND GROUND FLOOR FRONT EXTENSION (RESUBMISSION OF 20/01431/FUL) AT 26 ROSSAL PLACE, HODGE LEA, MILTON KEYNES FOR MR EUAN DARLING

The Planning Officer introduced the application with a presentation. It was confirmed that there was no further update on the Panel report and that the recommendation remained to grant the application subject to the conditions detailed in the Panel Report

Councillor Brown, seconded by Councillor Exon, proposed that the Officer recommendation to grant planning permission subject to the conditions detailed in the Panel report be agreed.

On being put to the vote the proposal to grant the application subject to the conditions detailed in the Panel report was carried with all Members of the Panel voting in favour.

RESOLVED –

That planning permission be granted subject to the conditions as detailed in the Panel report.

THE CHAIR CLOSED THE MEETING AT 8:56 PM