

Minutes of the meeting of the DEVELOPMENT CONTROL COMMITTEE held on THURSDAY 08 JULY 2021

**Present:** Councillors Baume, Cryer-Whitehead, Exon, A Geary, Lancaster, Legg, Marlow (Substituting for Councillor Bowyer) McLean, Priestley, Reilly, Taylor and Trendall (Substituting for Councillor Alexander)

**Officers:** J Palmer (Head of Planning), C Nash (Development Management Manager), E Verdegem (Team Leader (West)), E Gineikiene (Principal Solicitor) and D Imbimbo (Committee Manager).

**Apologies:** Councillors Alexander and Bowyer

**DCC09 INTRODUCTION AND WELCOME**

The Chair welcomed members of the public and councillors, advising that the meeting was being held both at the Civic Offices and remotely and would be broadcast live on YouTube, further explaining the procedures to be adopted.

**DCC10 DECLARATIONS OF INTEREST**

Councillor Lancaster asked that it be noted that in respect of application 20/02802/FULMMA he was the Ward Councillor for the ward in which the development was sited, he had previously commented on the original application, this application was for an amendment and he had not expressed a view in respect of it and would consider the application with an open mind.

**DCC11 MINUTES OF PREVIOUS MEETINGS**

Councillor McLean, seconded by Councillor Legg, proposed that in respect of the Minutes of the meeting of the Development Control Panel held on 17 June 2021, Minute DCP03 application 21/00400/FUL be amended to add a paragraph prior to the resolution to read, 'Following the debate the Chairman recognised that there was significant concern amongst Members of the Committee in relation to the Parking SPD and stated that he would raise this with the Cabinet Member responsible for Planning with a request for him to consider an early review of the SPD'.

The amendment was agreed by acclamation.

Councillor Priestley proposed that in respect of minute DCC09 in the minutes of the meeting of the Development Control Committee held on 3 June 2021 an additional sentence be added to read 'in conducting

any enquiries Planning Officers are requested to involve any interested members of the public in the process’.

The amendment was agreed by acclamation.

RESOLVED –

That the minutes of the meeting of the Development Control Committee on 3 JUNE 2021 and the Development Control Panel on 17 JUNE 2021 be agreed as accurate records and signed as such by the Chair subject to the amendments as detailed above.

## **DCC012 PUBLIC PARTICIPATION**

### **Questions**

None had been notified.

## **DCC13 REPRESENTATIONS ON APPLICATIONS**

Mr T Skelton spoke in objection to application 20/02803/FULMMA, Variation of condition 1 (approved plans) of permission 18/02775/FUL (Erection of a distribution warehouse with ancillary offices, ancillary servicing structures and other works) to include; amended slope levels and landscaping; minor additional works including amendments to the fencing, gatehouse and the provision of an additional smoking shelter (Part Retrospective) at Sites A and B, Lizard Drive, Snelshall East, Milton Keynes.

The Applicant’s Agent, Mr A Owen, exercised the right of reply.

## **DCC14 PLANNING APPLICATIONS**

**20/03080/FUL VARIATION OF CONDITION 1 (APPROVED PLANS) OF PERMISSION 18/02775/FUL (ERECTION OF A DISTRIBUTION WAREHOUSE WITH ANCILLARY OFFICES, ANCILLARY SERVICING STRUCTURES AND OTHER WORKS) TO INCLUDE; AMENDED SLOPE LEVELS AND LANDSCAPING; MINOR ADDITIONAL WORKS INCLUDING AMENDMENTS TO THE FENCING, GATEHOUSE AND THE PROVISION OF AN ADDITIONAL SMOKING SHELTER (PART RETROSPECTIVE) AT SITES A AND B, LIZARD DRIVE, SNELSHALL EAST, MILTON KEYNES FOR DHL REAL ESTATE UK LTD.**

The Team Leader (West Team) introduced the application with a presentation. It was

noted that there had been a published update paper that detailed information in respect of amendments to conditions and an additional condition in respect of the ongoing landscape management.

The Committee heard that there had been a number of complaints and some correspondence from the public following the original permission being granted, in particular the yellow and red banding affixed to the outside was not believed to be in keeping with the area, the applicant had agreed to remove this as part of the application being considered.

The Team Leader told the Committee that a late representation had been received from the Council's Tree Officer who stated that he was broadly happy with the scheme. There had also been a question raised by the Milton Keynes Forum in respect of whether the development had been built in the correct place, the Officer confirmed that checks had been undertaken and she was satisfied that it was built in accordance with the site layout as approved.

The Panel heard from an objector who raised the following points;

- The building completely dominates the local area and the new proposed landscape scheme was unlikely to hide it better than was originally proposed.
- The banking alongside the linear park is steeper than was originally proposed and too steep for the original landscaping plan.
- The reason for the change should be explained in detail by the applicant.

- The Council's landscape Officer does not support the proposal for reasons stated in the Committee report.
- The Committee should call for a complete explanation of why the embankment is not as originally planned and a site inspection conducted by the Committee, alternatively the scheme should be refused as it is a degradation from that originally proposed.

The Applicant's Agent told the Committee that the report before it explained fully the reasons for the changes that are applied for. There are no proposed changes to the site layout, access or parking. The proposal sought to enhance the landscaping.

The Committee heard that the applicant had agreed to remove the yellow and red banding to address concerns raised by members of the public.

Members of the Committee sought clarification in respect of which parts of the application were retrospective, the Team Leader confirmed that the ancillary items such as the smoking shelter and gates had been constructed, the landscaping had also been implemented.

The Officer further confirmed that the proposed landscaping was seen to be more beneficial than the original scheme as proposed, and did not represent any more harm.

Councillor Legg proposed that the officer recommendation to grant the application subject to the conditions detailed in the Committee report together with the amendments and additional condition detailed in the published update report be

agreed. This was seconded by Councillor McLean.

Members of the Committee expressed some support for the yellow and red banding as it made what was a grey building more interesting, however recognised that there had been complaints from members of the public. In response to a question the Team Leader confirmed that the entire application on a whole would have to be considered rather than the various elements.

Members of the Committee generally expressed disappointment that the agent had confirmed that problems were realised during the construction phase but that the applicant had submitted a retrospective application rather than having worked with the Council to address and apply for variations to the scheme as it was progressed, The Committee recognised that it was a lawful procedure but nevertheless believed that retrospective applications of this nature were inappropriate.

Councillor McLean asked that the Head of Planning write to the applicant and express in the strongest terms the disappointment that the Committee felt that an applicant of the standing it held should employ the tactics of submitting retrospective applications.

On being put to the vote the proposal to grant the application subject to the conditions as detailed in the Committee report amended as detailed in the published update report and the additional condition detailed therein was carried with councillors Trendall, Baume, Marlow, Cryer-Whitehead, Exon, Legg and Reilly voting in favour and Councillors A Geary, Lancaster, McLean and Taylor voting against the proposal.

Councillor Priestley had left the chamber for a period during the debate and therefore not having heard it in its entirety did not cast a vote.

RESOLVED –

That the application be granted subject to the conditions as detailed in the Committee report amended as detailed in the published update report and the additional condition detailed therein.

THE CHAIR CLOSED THE MEETING AT 7:43 PM