



Minutes of the meeting of the DEVELOPMENT CONTROL PANEL held on THURSDAY 16 MARCH 2017 at 7:00 pm.

Present: Councillor: A Geary (Chair)
Councillors Eastman, Legg, McLean and P Williams

Officers: K Lycett (Senior Planning Officer), S Gee (Senior Planning Officer), T Amlak (Interim Senior Planning Officer), M Pearce (Planning Officer), S Taylor (Temporary Planning Officer), J Lee (Senior Planning Officer), L Gledhill (Planning Officer), J-E Spurrell (Planning Officer), B McParland (Planning Officer), P Caves (Engineer - Development Management (Highways)), J Price-Jones (Planning Solicitor) and S Muir (Panel Manager).

Also Present: Approximately 60 Members of the Public

DCP41 WELCOME AND INTRODUCTIONS

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

DCP42 DECLARATIONS OF INTEREST

Councillor Legg declared a personal interest in respect of Item 11, Application 16/03430/FUL, erection of 1 x one bedroom detached bungalow (resubmission 15/02821/FUL) at land south of 28 Vandyke Close, Woburn Sands.

Councillor P Williams advised that he would leave the meeting at 10pm.

DCP43 REPRESENTATIONS ON APPLICATIONS

Ms J Ashpole, Mr A Davidson, Ms E Pitchett , Cllr J Jeffreys (Woburn Sands Town Council) and Ward Councillor D Hopkins (Danesborough and Walton) spoke in objection to application 16/03437/FUL Change of use from an off licence (use class A1) to a hot food takeaway (use class A5); installation of new extraction/ventilation equipment and external alterations at 1 Station Road, Woburn Sands and Application Number 16/03556/ADV Advertisement consent for 2 x. internally illuminated fascia signs and 1 x externally illuminated projecting sign at 1 Station Road, Woburn Sands.

Mr N Hall, Ms C Hall, Ms T Banner and Ward Councillor McDonald (Campbell park and Old Woughton) spoke in objection to application 16/02721/LBC Listed Building Consent for remedial and strengthening works to external brickwork, foundation, roof and chimney (extension of time) at The Green, Woughton On The Green, Milton Keynes. The Applicants declined the right of reply.

Cllr J Tamagnini (Kents Hill and Monkston Parish Council) spoke in objection to application 16/02088/FUL at and Ms Eliza Shah (Applicant's representative) spoke in reply with respect to Change of use from dwelling house (C3) to house in multiple occupation (C4) (retrospective) at 56 Eridge Green, Kents Hill, Milton Keynes.

Mr C Higton, Mr R Bradbury and Ward Councillor Webb (Bletchley East) spoke in objection to application 16/02306/FUL (Extension of time) in respect of the Erection of a 2 bed bungalow to the rear of property at 68 Water Eaton Road, Bletchley, Milton Keynes. The Applicants Agent declined the right of reply.

Ms J Bainton, Cllr S Kennedy (Stantonbury PC) and Cllr Burke (Ward Councillor) spoke in objection to application 17/00027/FUL spoke in objection to application 16/03208/FUL Part change of use of ground floor from residential dwelling (Use class C3) to use as a tattoo studio (sui generis) at 3 Melton Stantonbury Milton Keynes Mr S Barrett (Applicant) exercised the right of reply.

Mr S Rae spoke in objection to application 16/03432/FUL proposed part single and part two storey rear extension at 3 Theydon Avenue, Woburn Sands, Milton Keynes.

The Applicant had declined the right of reply

Cllr A Thatcher (Sherington Parish Council) spoke in favour of application 16/02614/OUT proposed outline planning application (all matters reserved) for the erection of 9 x detached dwellings (7 x four bed houses and 2 x two bed retirement bungalows) following removal of all existing buildings and hard standing at Smiths Yard Water Lane Sherington.

The Applicant had declined the right of reply.

Ms J Bainton, Cllr S Kennedy (Stantonbury Parish Council) and Ward Councillor Burke (Stantonbury) spoke in objection to application 17/00027/FUL

spoke in objection to application 16/03208/FUL Part change of use of ground floor from residential dwelling (Use class C3) to use as a tattoo studio (sui generis) at 3 Melton Stantonbury Milton Keynes Mr S Barrett (Applicant) exercised the right of reply.

Mr T Covington and Mr M Hamlyn spoke in objection to Application 16/02497/FUL Proposed part single and part two storey rear extension At 55 Vandyke Close Woburn Sands Milton Keynes.

Mr R Cullen (Applicant's Agent) and Mr I Quest (Applicant) exercised the right of reply.

Mr W Willis and Cllr B Greenwood (Campbell Park Parish Council) spoke in objection to Application 16/03530/FUL Two storey side and single storey front and rear extensions at 196 Oldbrook Boulevard Oldbrook Milton Keynes.

Mr M Ongaralingham (Applicant) exercised the right of reply.

Mr G Paul, Mr C Fogden, Mr D Gibbens and Ward Councillor C Williams (Shenley Brook End) spoke in objection to application 16/03606/full single storey rear extension, loft conversion with

dormers to front and rear roof slopes and garage conversion at 5 Allerford Court, Furzton, Milton Keynes.
The right of reply was declined.

DCP44

APPLICATIONS

16/03437/FUL CHANGE OF USE FROM AN OFF LICENCE (USE CLASS A1) TO A HOT FOOD TAKEAWAY (USE CLASS A5); INSTALLATION OF NEW EXTRACTION/VENTILATION EQUIPMENT AND EXTERNAL ALTERATIONS AT 1 STATION ROAD, WOBURN SANDS, MILTON KEYNES FOR DPSK LTD

The Senior Planning Officer introduced the application with a presentation. The Senior Planning Officer also confirmed that a Site Inspection had been undertaken.

It was also noted that an update report had been published which addressed matters raised after publication of the agenda.

The Panel heard that the recommendation remained to grant the application subject to the conditions as detailed in the Panel report.

The Panel heard representations from objectors who raised the following concerns;

- Inadequate Parking: The property was not located in the Town Centre of Woburn Sands but in Zone 2 in the MKC Parking Standards 2016 and the adopted Woburn Sands Neighbourhood Plan area and only 2 off street spaces were proposed which was contrary to the Woburn Sands Neighbourhood Plan and Policy WS4 of the MKC Parking Standards;
- Residents were concerned about refuse bins not being emptied regularly of food waste which could attract vermin;
- Residential Amenity - The site is overlooked by residential uses on four sides.
- The proposal to change from A1 Retail use to A5 Hot Food Takeaway would give rise to more vehicle movements from sales and deliveries, noise from extractor fans and extended hours of trading;
- Deliveries:- the Applicants statement clarified that the yard would be used for delivery vehicles however these would be required to reverse out of the yard as there is not sufficient space to turn round in the yard

therefore vehicles would have to reverse on to Station Road which was in contravention of MKC Parking Standards SPD 2016 "where these vehicles enter a site, they will be expected to enter and leave in a forward gear". If they parked on Station Road there would be an impact of traffic accessing Woburn Sands Town Centre;

- Research at other Domino Pizza Sites in Milton Keynes that included Oldbrook, Newport Pagnell and Olney showed that even though there were large off street Car Parks next to the sites to accommodate customers, parking was still obstructed;
- There would be an impact on nearby schools as students would use the Hot Food Take Away at lunchtimes and after school, which was detrimental to their health (Healthy Eating Plans);
- Conservation Area – The site is within the Woburn Sands Conservation Area and therefore change of use would be in contravention of Section 72 of the Planning (Listed Building and Conservation Area) Act 1990, Section 131 of the National Planning Policy Framework (NPPF), the MK Core Strategy Policy CS19, MK Plan Saved Policy D2A Urban Design Aspects of New Developments and Woburn Sands Neighbourhood Plan Chapter 6 "Ambience and Environment of the Town"; and,
- Three trees situated on the site are within a conservation area and therefore should be protected under a Tree Preservation Order; and

The Applicant's Agent advised the Panel that:

- Deliveries - It would be very rare for more than two delivery vehicles to be parked in the yard as three deliveries were scheduled three times per week and a Delivery Management Plan would be provided;
- Extractor Units – These would be fitted with carbon filters and the current three compressors would be replaced by one new compressor which would be less noisy ;
- Conditions in respect of the use of refuse bins could added;

- There were only two other take away Hot Food outlets in the area;
- No objections had been received from the Milton Keynes Council Environmental Health Department
- Opening and closing times would be limited; and,
- The impact on the Health of students in adjacent schools would be negligible as the hot food being sold was more expensive than cheaper confectionary.

Councillor A Geary proposed that the officer recommendation be agreed and this was seconded by Councillor Legg.

Councillor McLean commented that:

- There was not a Domino Pizza Fast Food Outlet in Olney;
- That objections had been received from more than 130 residents in Woburn Sands;
- He would like a Waste Collection Strategy that included plans for recyclable waste to be provided;
- Indicated his concerns about the errors in the report with regard to car parking spaces
- He would like clarification of the number of road traffic accidents in the area; and
- Asked if there would be dining inside the unit.

Councillor Eastman asked for clarification of the number of on street parking spaces available after 7pm and clarification if the proposed fast food outlet would be the only one on the High Street in Woburn Sands.

Councillor P Williams asked for confirmation whether the Panel could take Healthy Eating into consideration and was concerned that the site was in a residential area with limited parking for both deliveries and customers.

Councillor A Geary requested clarification of whether it was intended as "Eat In" or "Take Away". If the site was in the Town Centre or outside of the Town Centre and with regard to the proximity to

local schools, whether the draft Local Plan MK included a section on Healthy Eating and if so, could this be taken into consideration also that he had experienced the limited parking in the area during the site visit at about 11 am.

Councillor A Geary also indicated that the previous business had been an off licence which wasn't so prominent but the change of use to a Fast Food Outlet would change the street scene.

Councillor Legg acknowledged that the application would provide employment and would encourage the night time economy of the area but the lack of parking would affect local residents and this was a concern.

The Senior Planning Officer indicated that Use Class A5 allowed Hot Food to be eaten outside the premises, Use Class A1 permitted eat in with tables and chairs and with reference to waste recycling; this could be included as a Condition should the application be approved.

The Senior Planning Officer also indicated that Draft Policy CC10 in the emerging draft Local Plan:MK dealt with Healthy Eating but as the draft Local Plan:MK was not yet adopted, this had limited weight.

It was acknowledged that there was an error on the report and there were in fact 11 parking spaces available.

The Engineer, Development Management (Highways) also indicated that with reference to on street parking after 7pm, no surveys had been undertaken however, he had undertaken a site visit at 3pm and there were 4 car parking spaces available and a further 15 spaces in the nearby public car park.

The Engineer, Development Management (Highways) further indicated that the proposal failed to satisfy Policy D1.6 of the Parking Standards Supplementary Planning Document there was inadequate access to the delivery yard.

Councillor McLean proposed that the additional condition suggested by the Senior Planning Officer in the published Late Papers, at page 5 para 1. be amended to restrict deliveries to the store and restrict refuse collections to within the following hours: 09:00-19:00 Monday to Saturday and not on Bank Holidays.

Reason: to ensure that the development would not

be harmful to the neighbouring amenity.

This was seconded by Councillor Legg.

Councillor A Geary having moved the motion accepted the amendment. On being put to the vote the motion to grant the application subject to conditions as detailed in the Panel report together with the additional conditions as detailed above was lost.

Councillor P Williams proposed that the application be refused as it did not comply with sections D1.6, D2.2, D15, T10, T15 of the Adopted Milton Keynes Local Plan 2001 - 2011 and section WS4.4 (Objectives relevant to Woburn Sands) of the Woburn Sands Neighbourhood Plan.

This was seconded by Councillor Legg and on being put to the vote the motion to refuse the application as it did not comply with sections D1.6, D2.2, D15, T10, T15 of the Adopted Milton Keynes Local Plan 2001 - 2011 and section WS4.4 (Objectives relevant to Woburn Sands) of the Woburn Sands Neighbourhood Plan) was carried unanimously

RESOLVED –

That planning permission be refused as the proposal did not comply with sections D1.6, D2.2, D15, T10, T15 of the Adopted Milton Keynes Local Plan 2001 - 2011 and section WS4.4 (Objectives relevant to Woburn Sands) of the Woburn Sands Neighbourhood Plan)

16/03556/ADV

ADVERTISEMENT CONSENT FOR 2 X INTERNALLY ILLUMINATED FASCIA SIGNS AND 1 X EXTERNALLY ILLUMINATED PROJECTING SIGN AT 1 STATION ROAD, WOBURN SANDS, MILTON KEYNES FOR DPSK LTD

The Planning Officer explained that as the application 16/03437/FUL for approval for change of use from an off licence (use class A1) to a hot food takeaway (use class A5); installation of new extraction/ventilation equipment and external alterations at 1 Station Road, Woburn Sands, Milton Keynes for DPSK Ltd, had been refused, then the application for advertisement consent for internally illuminated Fascia Signs and external illuminated projecting sign should be refused.

Councillor A Geary proposed that consent be refused as the property did not have approval for change of use from an off licence (use class A1) to

a hot food takeaway (use class A5); installation of new extraction/ventilation equipment and external alterations at 1 Station Road, Woburn Sands, Milton Keynes for DPSK Ltd, had been refused.

This was seconded by Councillor Legg and on being put to the vote the motion to refuse the planning application By reason of the design of the proposed advertisement, the advert would be unduly prominent within the streetscene and would fail to preserve or enhance the character and appearance of the Conservation Area. As such the proposed development would cause harm to visual amenity and would be contrary to saved policies D2(ii) and HE6 of the Milton Keynes Local Plan 2001-2011 , was carried unanimously

RESOLVED –

That advertisement consent be refused By reason of the design of the proposed advertisement, the advert would be unduly prominent within the streetscene and would fail to preserve or enhance the character and appearance of the Conservation Area. As such the proposed development would cause harm to visual amenity and would be contrary to saved policies D2(ii) and HE6 of the Milton Keynes Local Plan 2001-2011.

16/02721/LBC

LISTED BUILDING CONSENT FOR REMEDIAL AND STRENGTHENING WORKS TO EXTERNAL BRICKWORK, FOUNDATION, ROOF AND CHIMNEY AT 5 THE GREEN, WOUGHTON ON THE GREEN, MILTON KEYNES FOR KABY DEVELOPMENTS LTD.

The Senior Planning Officer introduced the application with a presentation that detailed that the application sought part retrospective Listed Building Consent for remedial and strengthening works to the external brickwork, foundation, roof and chimney of a Grade II listed building in a conservation Area.

The Senior Planning Officer also confirmed that a Site Inspection had been undertaken.

It was also noted that an update report had been published which addressed matters raised after publication of the agenda and that the Conservation Officer had suggested an additional condition to secure the preservation of, and avoid further damage to, features of the building that contributed to its special interest.

The Panel heard that the recommendation remained to grant the application subject to the conditions as detailed in the Panel report together with the additional Condition from the Council's Conservation Officer as published in the updated papers.

The Panel heard representations from the objectors who raised the following concerns;

- An enforcement notice had been issued for urgent works which implied that the applicant was being forced to carry out works to maintain the property;
- No work of significance had been carried out despite permissions having been given in the past and the building was now in a serious state of deterioration, therefore granting permission for further works would not bring any benefit to the building;
- The building has deteriorated since 2009;
- As the cottage was a 17 Century Grade II Listed building of an Elizabethan nature at the top of the "Heritage at Risk" Register in a conservation area, Milton Keynes Council should issue a Compulsory Purchase Order on the property to ensure that the building survived;
- Previous work has been carried out without planning permission and it seems that the owner was purposefully delaying the repairs and maintenance to the property; and
- The owners of the neighbouring attached cottage were very concerned about the impact of the continued deterioration on the structure on their home.

The Applicant had declined the right of reply.

Councillor A Geary proposed that the officer recommendation be agreed and this was seconded by Councillor Legg.

Councillor Eastman noted that the property should have been repaired some time ago and asked the Senior Planning Officer for clarification if the time limit in the proposed Condition 6.1 could be reduced to two years from three years.

Councillor McLean indicated that in addition to the footprint of the cottage and outbuilding, the plot was quite large and could be used for further development and that he was disappointed that the applicant had not taken the opportunity to attend the Panel meeting.

Councillor A Geary indicated that an amendment to the Planning Condition to the period of time would not be unreasonable in the circumstances and in view of the historical importance of the building he was minded to ask the Planning Solicitor to advise on the implications of the work not being carried out within two years and if the building deteriorated and subsequently collapsed.

Councillor McLean moved that Condition 6.1 be amended to “The works to which this consent related shall be begun before the expiration of two years from the date of this consent”.

This was seconded by Councillor Eastman

Following a vote, the motion was carried with three Councillors voting in favour and two Councillors voting against.

The Planning Solicitor indicated that action could be taken in respect of listed building by a Local Authority if works were not carried out. The Local Authority could order emergency works to be carried out and if this was ignored, could undertake works to make the building safe and charge the property owner accordingly, however the cost of this would have to be taken into account. Alternatively, the Local Authority could issue a Compulsory Purchase Order if the Panel had concerns that works would not be carried out.

Councillor A Geary moved that a full report be submitted to the Cabinet from the Development Control Panel to consider a Compulsory Purchase Order or any other action to purchase the property and protect a valuable Heritage Asset.

This was seconded by Councillor McLean.

The substantive motion to grant listed building consent on being put to the vote, was carried with four Councillors voting in favour and one Councillor abstaining.

RESOLVED –

1. That Listed Building Consent for remedial and strengthening works to external brickwork, foundation, roof and chimney at 5 The Green, Woughton on the Green, Milton Keynes for

Kaby Developments Ltd be granted together with the additional conditions as published; and

2. That a full report be submitted to the Cabinet from the Conservation Officer to consider a Compulsory Purchase Order or any other action to purchase the property and protect a valuable Heritage Asset.

16/02088/FUL

CHANGE OF USE FROM DWELLING HOUSE (C3) TO HOUSE IN MULTIPLE OCCUPATION (C4) (RETROSPECTIVE) AT 56 ERIDGE GREEN, KENTS HILL, MILTON KEYNES FOR MR MOHAMMED SADIQ

The Planning Officer introduced the application with a presentation.

The Panel heard that the recommendation remained to grant change of use from a dwelling house (C5) to a House In Multiple Occupation (C4)(Retrospective).

The Panel heard that the Council's Housing department had advised that an adjacent property, No 58 Eridge Green was registered as a Home In Multiple Occupation (HIMO) by the Housing Department although this dwelling did not have the necessary planning permission to be a HIMO. The Planning Officer drew the Panel's attention to Section 4.35 of the Council's adopted Homes In Multiple Occupation Supplementary Planning Document (HIMO SPD) that specified the approach to "sandwiching" and summarised that only one of the properties at Eridge Green could apply for change of use (retrospective) planning permission otherwise the property at No 57 Eridge Green would be "sandwiched".

The Panel heard representations from the objectors who raised the following concerns:

- The application requested a HIMO with 6 bedrooms and the potential for 12 vehicles therefore the parking and vehicle access provision was inadequate;
- Neighbouring residents had registered several complaints about refuse to Milton Keynes Council over more than a year and special refuse collections had been made; an increase in the number of bedrooms would make the refuse issue worse;

- Despite having a bin storage area, green recyclable waste bins are left outside the property;
- Despite having a cycle storage area, cycles are regularly left leaning against the front of the house; and
- The property was registered as an hotel on Google Maps.

The Applicant's Agent advised the Panel that the application was for retrospective planning permission for the change of use from a single dwelling house (Use Class C3) to a five bedroom house in multiple occupation (Use Class C4).

Councillor A Geary proposed that the officer recommendation be agreed and this was seconded by Councillor Legg.

Councillor A Geary moved a motion that a condition be added at 4.2 that enforcement action be taken against the property at No 58 Eridge Green operating as a HIMO as planning consent for change of use from dwelling house (C3) to a house in multiple occupation (C4) was not in place

This was seconded by Councillor Legg.

Councillor Eastman indicated that if the planning application was refused, there was a risk that No 58 Eridge Green could also apply for Change of use from dwelling house (C3) to house in multiple occupation (C4) (retrospective) and this could be granted which would unfairly penalise the applicant at No 56 who had followed the lawful process; if planning consent was approved for the applicant at no 56, then a similar application from the owners of property no 58 would have to be refused because this would "sandwich" the property at No 57.

Councillor Eastman also asked for clarification of when the enforcement action would take place if a condition was included with reference to No 58 Eridge Green.

Councillor McLean requested clarification of the number of bedrooms and bathrooms at No 56 that would be provided should permission be granted.

The Planning Officer indicated that there would be one downstairs toilet, one bathroom and one ensuite bathroom for 6 bedrooms should permission be granted and that enforcement action could be taken against no 58 within a week of a

condition being included and approved

Councillor McLean proposed that an additional condition to provide suitable cycle storage be added.

This was seconded by Councillor Eastman.

On being put to the vote the proposal to grant the application subject to the conditions as detailed in the Panel report together with the additional conditions was carried with three members of the Panel voting in favour with two voting against.

1. That change of use from a single dwelling house (Use Class C3) to a five bedroom house in multiple occupation (Use Class C4) at 56 Eridge Green Kents Hill Milton Keynes be granted.
2. That cycle storage be provided at No 56 Eridge Green.

RESOLVED –

1. That planning permission be granted subject to the conditions as detailed in the Panel report and as added above.
2. That enforcement action be taken against the property at No 58 Eridge Green operating as a HIMO as planning consent for change of use from dwelling house (C3) to a house in multiple occupation (C4) was not in place.

16/02987/FUL

INDOOR SWIMMING POOL, KITCHEN EXTENSION, PITCHED ROOF TO EXISTING PORCH / GARAGE AND ASSOCIATED ALTERATIONS, INCLUDING TAKING DOWN ASH TREE AND LEYLANDII HEDGE AT ASH KEYS, CLIFTON ROAD, NEWTON BLOSSOMVILLE FOR MR ANDY DODGE

The Planning Officer introduced the application with a presentation and confirmed that the recommendation remained to grant the application subject to the conditions listed in the report.

Councillor A Geary proposed that the officer recommendation be agreed this was seconded by Councillor Legg and on being put to the vote, was carried unanimously.

RESOLVED –

That planning permission be granted subject to the conditions set out at the end of the report.

16/03503/FUL

DEMOLITION OF EXISTING DERELICT STRUCTURE AND THE ERECTION OF 4 X DWELLING HOUSES AT LAND TO THE WEST OF 11, NORTH SQUARE, NEWPORT PAGNELL FOR NEW CITY FINANCE LTD

The Planning Officer introduced the application with a presentation and confirmed that the recommendation remained to grant the application subject to the conditions listed in the report.

Councillor A Geary proposed that the officer recommendation be agreed.

This was seconded by Councillor Legg

On being put to the vote, four Councillors voted in favour and one Councillor voted against.

RESOLVED –

That planning permission be granted subject to the conditions set out at the end of the report.

16/02306/FUL

ERECTION OF 2 BED BUNGALOW TO THE REAR OF PROPERTY AT 68 WATER EATON ROAD, BLETCHLEY, MILTON KEYNES FOR MR N MINAWAR

The Planning Officer introduced the application with a presentation and confirmed that the recommendation remained to grant the application subject to the conditions listed in the report.

The Panel heard representations from objectors who raised concerns that a requested site inspection had not taken place.

Councillor A Geary proposed that determination of the application be deferred to a later meeting of the Panel to allow for a site visit to be arranged.

This was seconded by Councillor Legg.

On being put to the vote the motion to defer the determination of the to a later meeting of the panel to allow for a site visit to be arranged was carried unanimously

RESOLVED –

That planning permission be deferred to a later meeting in order that a site inspection could be arranged.

17/00027/FUL

PART CHANGE OF USE OF GROUND FLOOR FROM RESIDENTIAL DWELLING (USE CLASS C3) TO USE AS A TATTOO STUDIO (SUI GENERIS) AT 3 MELTON, STANTONBURY, MILTON KEYNES FOR MR STEPHEN BARRETT

The Planning Officer introduced the application with a presentation and confirmed that the recommendation remained to grant the application subject to the conditions listed in the report

The Panel heard representations from objectors who raised the following concerns;

- There would be noise from the machines which was unacceptable in a residential street;
- The application breached Policy E10 of the Adopted Milton Keynes Local Plan 20101- 2011 Working from Home;
- The application was in breach of a restrictive covenant on the property;
- There was insufficient parking provision for employees and customers;
- There were no constraints on opening and closing times; and
- The site was in a residential area and not suitable for a business

The applicant responded that the tattoo Studio would be open for 3 days per week, customers could only attend by appointment, opening hours would be from 10.30am to 6.30pm daily and weekend opening would be limited as the proprietor had other weekend employment and there would be no exterior signage.

Councillor A Geary proposed that the officer recommendation be agreed and this was seconded by Councillor Legg.

Members of the Panel shared the concerns raised but recognised that the restrictive covenant mentioned was not a planning consideration but a civil matter.

With regard to opening hours, the Panel noted that a condition could be added to restrict the opening times and that with regard to parking issues, the Highways Engineer had been consulted and had not raised any objections.

The Panel also noted that any noise issues could be dealt with by the Council's Environmental Health Department.

Councillor McLean moved that the opening hours be restricted to between 10.30am and 6.20pm during Monday to Saturday and not Bank Holidays.

This was seconded by Councillor Eastman.

Councillor A Geary as mover of the original motion accepted the amendment. The motion that the officer recommendation be agreed with the addition of the above condition be approved was put to the vote and was carried unanimously.

RESOLVED –

That change of use be granted subject to the conditions set out in section 6.0 of the report and the addition of the following condition:

That the opening hours be restricted to between 10.30am and 6.20pm during Monday to Saturday and not Bank Holidays.

16/03432/FUL

PROPOSED PART SINGLE AND PART TWO STOREY REAR EXTENSION AT 3 THEYDON AVENUE, WOBURN SANDS, MILTON KEYNES FOR MR AND MRS CONATY

The Planning Officer introduced the application with a presentation and confirmed that the recommendation remained to grant the application subject to the conditions listed in the report.

The Senior Planning Officer also confirmed that a Site Inspection had been undertaken.

The Panel heard representations from an objector who raised the following concerns;

- Difference in height levels;
- Loss of light to No. 1 and 5 Theydon Avenue; and
- Building regulations relating to retaining walls and a private drain at neighbouring properties being blocked.

The applicant declined the right of reply.

Councillor A Geary proposed that the officer recommendation be agreed and this was seconded by Councillor Legg.

It was noted that the proposals would intrude on views from neighbouring properties and impact on the amenity of neighbouring properties at Nos 1 and 5 Theydon Avenue by restricting natural light

However, the Panel also noted that the householder's right to build extensions without requiring planning permission from the Local Planning Authority (Permitted Development) under the General Permitted Development Order 2015 (GPDO) has to be taken into account.

Under the GPDO the householder could build a 2 storey extension up to 3m from the rear of the existing house and 2m from the boundary (the proposed extension would be 1.3m from the boundary) or build a single storey extension up to 4m in height right up to the boundary. Whilst these would be smaller than that proposed, such an extension would have a very similar impact upon the amenities of no.1 as that proposed and could have a greater impact on the amenities of no.5 than that which would result from the extension proposed.

The Senior Planning Officer clarified that the retaining wall pressure would be assessed by Building Control Officer Colleagues and there was no planning reason to add a condition for this as it was a civil matter.

Councillor P Williams noted that the drainage issues could not be considered.

Councillor A Geary summarised that as the works could be carried out under General Permitted Development Rights if planning permission was not granted, then by agreeing the application, some control could be kept.

On being put to the vote, the proposal to grant planning permission was granted subject to the conditions listed in the report.

RESOLVED –

That planning permission be granted subject to the conditions set out in section 6.0 of the report.

16/02614/OUT

OUTLINE PLANNING APPLICATION (ALL MATTERS RESERVED) FOR THE ERECTION OF 9 X DETACHED DWELLINGS (7 X FOUR BED HOUSES AND 2 X TWO BED RETIREMENT BUNGALOWS) FOLLOWING REMOVAL OF ALL EXISTING BUILDINGS AND HARDSTANDING AT SMITHS YARD, WATER LANE, SHERINGTON FOR CHALDEAN PROPERTIES LTD

The Planning Officer introduced the application with a presentation and confirmed that the recommendation remained to grant the application subject to the conditions listed in the report

The Panel heard from a representative of the Parish Council who spoke in favour of the application.

Councillor A Geary proposed that the officer recommendation subject to the conditions set out in

section 6.0 of the report be agreed.

This was seconded by Councillor Legg.

On being put to the vote the proposal to grant the application subject to the conditions detailed in the Panel report was carried and it was;

RESOLVED –

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

16/03430/FUL

ERECTION OF 1 X ONE BEDROOM DETACHED BUNGALOW (RESUBMISSION 15/02821/FUL) AT LAND SOUTH OF 28 VANDYKE CLOSE, WOBURN SANDS FOR MR TOM MCEVADDY

Councillor Legg having declared a personal interest, left the meeting for this item.

The Senior Planning Officer introduced the application with a presentation and confirmed that the recommendation remained to grant the application subject to the conditions as detailed in the report.

Councillor A Geary proposed that the officer recommendation be agreed this was seconded by Councillor McLean.

On being put to the vote the proposal to grant the application subject to the conditions detailed in the Panel report was carried and it was;

RESOLVED –

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

16/02497/FUL

DEMOLITION OF BUNGALOW AND CONSTRUCTION OF 2 X 3 BEDROOM DETACHED BUNGALOWS (RESUBMISSION OF 16/00075/FUL) AT 55 VANDYKE CLOSE, WOBURN SANDS, MILTON KEYNES FOR MR IAN QUEST

Councillor Legg returned to the meeting.

The Senior Planning Officer introduced the application with a presentation and confirmed that the recommendation remained to grant the application subject to the conditions as detailed in the report.

The Panel heard representations from an objector who raised the following concerns;

- That access to neighbouring properties would be affected;
- The surface of the shared access drive would be damaged by plant;
- There had been no consultation with neighbours by the applicant;
- The integrated garage could be changed to a room at a later date;
- There would be problems with residents parking; and,
- Adverse impact on neighbouring residents amenity.

The Panel heard for the applicant's agent who advised that:

- The application had been redesigned to include an integrated garage in conjunction and re-submitted following advice from Milton Keynes Planning Officers;
- Woburn Sands Town Council had not raised any objections;
- The agents had tried to consult with neighbouring property owners;
- The applicant agreed to re-surface the drive after the works were completed; and,
- The applicant would be using Milton Keynes based contractors.

Councillor McLean moved that a condition be added to restrict the conversion of the garage to living accommodation at a later date.

This was seconded by Councillor Eastman.

Councillor A Geary proposed that the officer recommendation be agreed together with the additional condition be agreed .

This was seconded by Councillor Legg.

On being put to the vote the proposal to grant the application subject to the conditions detailed in the Panel report together with the additional condition was carried and it was;

RESOLVED –

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

2. That a restriction be included to not allow the conversion of the garage to living accommodation at a later date.

16/03530/FUL

TWO STOREY SIDE AND SINGLE STOREY FRONT AND REAR EXTENSIONS AT 196 OLDBROOK BOULEVARD, OLDBROOK, MILTON KEYNES FOR MR M ONGARALINGAM

The Planning Officer introduced the item with a presentation and told the Panel that due to technical difficulties it was recommended that determination be deferred to allow additional information to be gathered and presented at a future meeting of the Panel.

Councillor A Geary proposed that the application be deferred to future meeting of the Panel.

This was seconded by Councillor Legg.

On being put to the vote the proposal to defer the planning application was carried unanimously and it was:

RESOLVED –

That planning permission be deferred to a later meeting of the Panel.

16/03548/ADV

ADVERTISEMENT CONSENT FOR 1 X EXTERNALLY ILLUMINATED FASCIA SIGN; 2 X INTERNALLY ILLUMINATED FASCIA SIGNS; 1X INTERNALLY ILLUMINATED POST SIGN; 2X INTERNALLY ILLUMINATED LANTERNS; 3 X NON ILLUMINATED SIGNS AT THE PEARTREE BRIDGE , 180 WATERSIDE, PEARTREE BRIDGE FOR MITCHELLS & BUTLERS

The Senior Planning Officer introduced the application with a presentation and confirmed that the recommendation remained to grant the grant the Advertisement consent application subject to the conditions as detailed in the report.

Councillor A Geary proposed that the officer recommendation be agreed this was seconded by Councillor McLean.

On being put to the vote the proposal to grant the application subject to the conditions detailed in the Panel report was carried and it was;

RESOLVED –

That Advertisement consent be granted subject to the conditions as detailed in the Panel report.

16/03628/FUL

SINGLE STOREY REAR EXTENSION TO REPLACE CONSERVATORY, FIRST FLOOR EXTENSION OVER EXISTING REAR GROUND FLOOR AT 41 EATON AVENUE, BLETCHLEY, MILTON KEYNES FOR MR AND MRS A CLARK

The Senior Planning Officer introduced the application with a presentation and confirmed that the recommendation remained to grant the planning application subject to the conditions as detailed in the report.

Councillor A Geary proposed that the officer recommendation be agreed this was seconded by Councillor Legg.

On being put to the vote the proposal to grant the application subject to the conditions detailed in the Panel report was carried and it was;

RESOLVED –

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

16/03606/FUL

SINGLE STOREY REAR EXTENSION, LOFT CONVERSION WITH DORMERS TO FRONT AND REAR ROOF SLOPES AND GARAGE CONVERSION AT 5 ALLERFORD COURT, FURZTON, MILTON KEYNES FOR MR SAGER FAHAD AL MASSAEED

The Planning Officer introduced the application with a presentation and confirmed that the recommendation remained to grant the application subject to the conditions as detailed in the report.

The Planning Officer also confirmed that a Site Inspection had been undertaken.

The Planning Officer informed the Panel that most of the items in the proposal could be carried out as part of the householder's right to build extensions without requiring planning permission from the Local Planning Authority (Permitted Development) under the General Permitted Development Order 2015 (GPDO).

The Panel heard representations from the objectors who raised the following concerns;

- That access to neighbouring properties would be affected during the extension and

conversion works;

- There was insufficient capacity in the drains;
- Lack of privacy from the proposed dormer windows as neighbouring residents ;
- There would be problems with residents parking; and,
- A request that four additional conditions be added should the planning application be granted:
 - Opaque glass be used in dormer windows to increase neighbours privacy;
 - Limited hours of construction work to be limited to between 09.00 and 16.30 daily and not at weekends or Bank holidays;
 - Construction vehicles to not to be permitted to park at Allerford Court at any time;
 - An informative that only family members of the owners of the property be allowed to live there to be drafted by Planning Officers and agreed by the Chair and Vice Chair.

The applicant declined the right of reply.

Councillor A Geary proposed that the officer recommendation be agreed.

This was seconded by Councillor Legg.

Councillor Legg indicated that the height at which the dormer windows would stand on the second floor would have an impact on the privacy of neighbours.

Councillor Eastman indicated that the applicant had followed the lawful process and applied for planning permission when the alternative was that a smaller extension and dormer windows would have not required the applicant, under the householder's rights, to build extensions without requiring planning permission from the Local Planning Authority (Permitted Development) under the General Permitted Development Order 2015 (GPDO). Had this planning application not come forward, the applicant could have carried out most of the work in an uncontrolled manner with regard to construction hours, access and parking of construction vehicles and impact on privacy on neighbouring properties.

Councillor Mclean indicated that the new windows could be partly obscured but that there were quite a lot of windows already in the property that were not obscured.

Councillor A Geary moved a motion that a condition be added at 6.3 to use obscured glass in the rear dormer windows and that these windows should not be opened except for emergence access/egress.

Councillor Eastman seconded the motion.

Councillor McLean also indicated that the hours of construction should be limited to between 08.00 and 18.00 Monday to Friday and not Bank Holidays.

Councillor A Geary indicated that an alternative means of access by construction vehicles across land owned by the Community Foundation adjacent to the 5 Allerford Court should not be permitted, by the addition of an informative to the planning consent, should it be granted.

Councillor A Geary moved a motion that a condition be added at 6.4 that an alternative means of access by construction vehicles across land owned by the Community Foundation adjacent to the 5 Allerford Court should not be permitted.

Councillor McLean seconded the motion.

Councillor A Geary moved a motion that an informative be added at 6.5 that only family members of the owners of the property be allowed to live at the property.

Councillor McLean seconded the motion.

On being put to the vote the proposal to grant the application subject to the conditions as detailed in the Panel report together with the additional conditions below was carried with three members of the Panel voting in favour and one member abstaining two voting against.

6.3 That obscured glass be used in the rear dormer windows and that these windows should not be opened except for emergency access/egress;

6.4. That alternative means of access by construction vehicles across land owned by the Community Foundation adjacent to No 5 Allerford Court should not be permitted; and

6.5 An informative be added that only family members of the owners of the property be allowed to live at the property.

6.6 The hours of construction should be limited to

between 08.00 and 18.00 Monday to Friday and not Bank Holidays

RESOLVED –

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

16/03473/FUL

REMOVAL OF CONDITION 11 (NUMBER OF PEOPLE ON PREMISES) ATTACHED TO PLANNING PERMISSION 16/01309/FUL AT UNIT 10, WALKER AVENUE, WOLVERTON MILL FOR HAZARA COMMUNITY, MILTON KEYNES

The Planning Officer introduced the application with a presentation and confirmed that the recommendation remained to grant the application subject to the conditions as detailed in the report.

The Panel noted that the application was referred to the Development Control Panel for determination as the condition to which this application referred to, was imposed by the Members of the October 2016 Development Control Panel that “The maximum number of people on the premises at any one time for the purposes of the proposed use shall not exceed 60. Reason: To ensure control over the scale of the use in relation to the amenities of neighbouring residents and the availability of car parking”.

Councillor A Geary proposed that the officer recommendation be agreed.

This was seconded by Councillor Legg.

The Panel took a view that as the condition was included to ensure that there was no disturbance to neighbouring properties and that the circumstances for including the condition had not changed and therefore the condition was still relevant.

On being put to the vote the proposal to not include the condition because it was neither reasonable nor enforceable was lost with three members of the Panel voting in against and one member abstaining.

RESOLVED –

That the condition to limit the maximum number of people on the premises at any one time for the purposes of the proposed use shall not exceed 60 should remain.

Reason: To ensure control over the scale of the use in relation to the amenities of neighbouring residents and the availability of car parking”.

THE CHAIR CLOSED THE MEETING AT 23.01 PM