



Minutes of the DEVELOPMENT CONTROL COMMITTEE held on THURSDAY 30 MARCH 2017 at 7.00 pm.

Present: Councillor A Geary (Chair)
Councillors: Bint, Brackenbury (Substituting for Councillor Alexander), Exon, Legg, McLean, Miles (Substituting for Councillor C Wilson), C Williams (Substituting for Councillor Eastman) and P Williams

Officers: A Rose (Service Director - Growth, Economy and Culture), B Leahy (Head of Development Management), A Smith (Senior Planning Officer), N Wheatcroft (Senior Planning Officer), J Williamson (Senior Planning Officer – Development Plans), A Swannell (Highways Engineer), N Sainsbury (Head of Urban Design and Landscape Architecture), P Van Geete (Tariff Programme Manager), G Treen (Interim consulting Senior Enforcement Officer), L Gardner (Solicitor – Head of Litigation), J Price-Jones (Solicitor – Planning) and D Imbimbo (Committee Manager).

Apologies: Councillors Alexander, Eastman, Petchey, Morla and C Wilson

Also Present: Councillors Green, Hosking and P Geary

Mr N Andrews (Kirkby and Diamond Consultants)

Number of

Public Present: approx. 90

DCC82 CHAIRMANS WELCOME

The Chair welcomed Members of The Committee, Officers and Public to the meeting.

The Chair invited the Senior Planning Officer – Development Plans to comment on the Councils 5 Year Housing Land supply status.

The Committee heard that the Council was currently able to demonstrate a supply position of 5.03 years.

As the Council could now demonstrate a deliverable 5-year land supply it was in compliance with Paragraph 47 of the National Planning Policy Framework (NPPF)

Paragraphs 49 and 14 of the NPPF which deemed relevant policies for the supply of housing out-of-date, where 5-year land supply could

not be demonstrated, were therefore currently not applicable.

As a result, the Council could give full weight to its housing policies contained within the adopted Core Strategy (2013) and saved Local Plan (2005) policies, when assessing applications for residential developments.

DCC83 DECLARATION OF INTERESTS

Councillor McLean asked that it be noted that in respect of application 16/02451/FUL, he had attended a presentation organised by the developer, however, had not expressed a view and would consider the application on its merit.

Councillor C Williams asked that it be noted that he was Chair of the Councils Housing and Community Committee.

Councillor A Geary asked that it be noted that in respect of application 16/02270/OUTEIS, he was the Ward Councillor for the area and knew some of the objectors and had been invited to view the site by one of them, this had been before any applications had been submitted in respect of the site, he had not expressed a view in respect the application and would judge it on its merits.

Councillor A Geary asked that it be noted that in respect of application 16/02217/OUT, one of the objectors had in the past done some work for him but he had not had any discussion in respect the application and would judge it on its merits.

DCC84 REPRESENTATIONS ON APPLICATIONS

Mrs E Rawlinson (Representing COBRA) and Mr R Jones spoke in objection to application 16/02451/FUL, Demolition of all existing buildings and replacement with the erection of 184 residential dwellings comprising 172 one and two bedroomed apartments and 12 townhouses, 112 sqm. of community use (D1) and 215 sqm. of flexible use across A1, B1a or D2, provision of private open space and landscaping, provision of an internal vehicular network and associated highway works and car parking at Land To The South of Princes Way and West of Albert Street, Bletchley.

The applicant's agent, Mr P Dijkhuis exercised the right of reply.

Mr P Upton, Mr L Lean, Councillor D Stabler (Great Linford Parish Council) and Councillor Green (Ward Councillor), spoke in objection to application 16/02270/OUTEIS, Outline planning application (all matters reserved except for access) for the residential development of land north of Wolverton Road (Linford Lakes) (up to 250 units), with access and provision for drainage, open space and amenity areas and the creation of an area for car parking (25 spaces) on land off Little Linford Lane for use in association with the use of land for an extension to the River Valley Park at Land at Linford Lakes, Wolverton Road, Great Linford.

The applicant's agents, Mr S James and Mr M Harris exercised the

right of reply.

Mr R Denman, Councillor Bush (Sherington Parish Council) Councillor D Hosking (Ward Councillor) and Councillor P Geary (Ward Councillor), spoke in objection to application 16/02217/OUT, Outline application with all matters reserved for a development of up to 16 dwellings at Land South of 7, Bedford Road, Sherington.

The applicant's agent, Ms V Coleby declined the right of reply.

DCC85

PLANNING APPLICATIONS

16/02451/FUL

DEMOLITION OF ALL EXISTING BUILDINGS AND REPLACEMENT WITH THE ERECTION OF 184 RESIDENTIAL DWELLINGS COMPRISING 172 ONE AND TWO BEDROOMED APARTMENTS AND 12 TOWNHOUSES, 112 SQM OF COMMUNITY USE (D1) AND 215 SQM OF FLEXIBLE USE ACROSS A1, B1A OR D2, PROVISION OF PRIVATE OPEN SPACE AND LANDSCAPING, PROVISION OF AN INTERNAL VEHICULAR NETWORK AND ASSOCIATED HIGHWAY WORKS AND CAR PARKING AT LAND TO THE SOUTH OF PRINCES WAY AND WEST OF ALBERT STREET, BLETCHLEY FOR REMITONE PROPERTIES LIMITED, OCTAVIA HOMES (BLETCHLEY) LIMITED, AND INVESTEC BANK PLC

The Senior Planning Officer introduced the application with a presentation.

The Senior Planning Officer told the Committee that following negotiation an increased s106 offer of £1.39m had been made in respect of contributions with two options in respect of distribution, these being;

Offer 1 – 100% Private sale housing and a financial contribution of £1,391,853;

Offer 2 – 8.7% Affordable Housing (representing 16 units – 13 Affordable Rent and 3 Shared Ownership) and a financial contribution of £645,853.

The Committee heard that the Officer recommendation was therefore to grant the application subject to the conditions set out in Section 6 of the DCC Report and a Section 106 Legal Agreement to secure the financial contributions totaling £1,391,853, a review mechanism with any uplift contributing to offsite

affordable housing, and a shared cycle and pedestrian route along the Saxon Street edge of the development.

The Committee heard representations from a member of the public, and a representative of the association of residents associations in objection to the application, raising the following concerns;

- Shortfall in car parking provision.
- No s106 contributions had been made for alternative car parking provision within central Bletchley.
- No s106 was provided for improvement of road surfaces and traffic management.
- There was inadequate GP surgery availability and the contribution inadequate.
- The scale, height and density of the proposed buildings was too large.
- The absence or limited provision of affordable housing was unacceptable in policy terms.
- The development was not in keeping with the area despite the presence of Stephenson House which was in the view of the objector unsightly.
- There was no parking provision for non-residential units in the scheme.
- A further phase of similar development was intended and approving this application would lead to further problems of the nature expressed in the future

The Applicant's agent set out the history and vision of the application and development but did not address the points raised by objectors.

The Senior Planning Officer confirmed that the Council did accept that there were viability issues with the site and an independent viability assessment had been commissioned which confirmed this.

The Head of Urban Design and Landscape Architecture confirmed that as a Town Centre development higher density was acceptable and expected.

Councillor A Geary proposed that the Officer recommendation be agreed, this was seconded by Councillor Exon.

The Committee had a debate in respect of the proposals and considered the implications of the reduced parking provision, the s106 contribution, affordable housing and the concerns raised by objectors in respect of the height, scale and density of the proposed development.

It was recognised that the lack of s106 provision was the core reason for the shortfalls in provision of the required infrastructure, however, this had been justified by virtue of the viability assessment which supported the reduced provision. Some members of the Committee expressed concerns accepting a reduced profit level to provide some contributions, there remained a risk that the application would be allowed on appeal and no contributions would be made.

The Committee heard assurances that the proposal allowed for allocated parking provision and a clear marketing policy for units that did not have a parking space allocated to ensure this was known at the time of purchase, this was reinforced by Condition 16.

On being put to the vote the motion to grant the application was carried. Councillor C Williams asked that it be noted that he had voted against the motion to grant the application, as he could not support an application that failed to provide the required level of affordable housing.

The Chair asked that the Committee to indicate by vote which option for the s106 distribution was accepted. It was proposed that whichever option was agreed, the distribution of the cash be reconsidered to ensure that money was directed at facilities that could be considered to provide more benefit such as off-site affordable housing, but also in particular ensuring that health and Education contribution was ring-fenced this to be determined by the Head of Development Management following consultation with the Chair and Vice Chairs.

The vote in respect of this was as follows;

Option 1 2 in favour

Option 2 6 in favour

Councillor C Williams asked that it be noted that he would not support either option as he remained committed to the policy to provide the required level of affordable housing.

RESOLVED –

That the application be granted subject to the conditions set out in Section 6 of the DCC Report and a Section 106 Legal Agreement to secure the provision of 8.7% Affordable Housing (representing 16 units – 13 Affordable Rent and 3 Shared Ownership), a financial contribution of £645,853 a review mechanism with any uplift contributing to offsite affordable housing, and a shared cycle and pedestrian route along the Saxon Street edge of the development.

16/02270/OUTEIS OUTLINE PLANNING APPLICATION (ALL MATTERS RESERVED EXCEPT FOR ACCESS) FOR THE RESIDENTIAL DEVELOPMENT OF LAND NORTH OF WOLVERTON ROAD (LINFORD LAKES) (UP TO 250 UNITS), WITH ACCESS AND PROVISION FOR DRAINAGE, OPEN SPACE AND AMENITY AREAS AND THE CREATION OF AN AREA FOR CAR PARKING (25 SPACES) ON LAND OFF LITTLE LINFORD LANE FOR USE IN ASSOCIATION WITH THE USE OF LAND FOR AN EXTENSION TO THE RIVER VALLEY PARK AT LAND AT LINFORD LAKES, WOLVERTON ROAD, GREAT LINFORD FOR TEMPLEVIEW DEVELOPMENTS LTD

The Senior Planning Officer introduced the application with a presentation. The Committee heard that an objection in respect of the proposed parking area from Highways Officers had been withdrawn and therefore the recommendation was that the application be refused as the proposed development, by virtue of its location outside the settlement boundary of Milton Keynes the proposed development would represent an intrusive form of development in the open countryside which is identified as an Area of Attractive Landscape in the Milton Keynes Local Plan 2001-2011 (adopted 2005), which would be detrimental to

the open, rural character of the locality. The proposal would result in the loss of a substantial area of varied habitat and appearance and would harm the special landscape character of the area in this regard, providing an urbanised character and appearance to the land. No evidence has been presented to demonstrate that the proposed housing is essential for agriculture, forestry, countryside recreation, and is not considered to be an appropriate form of development in a rural area. The proposal is therefore contrary to Saved Policies S10 (Open Countryside) and S11 (Areas of Attractive Landscape) of the Milton Keynes Local Plan 2001-2011 (adopted 2005), Policy CS9 (Strategy for the Rural Area) of the Core Strategy (adopted 2013), and the aims and objectives of the National Planning Policy Framework 2012.

The Committee heard from Objectors who raised the following concerns;

- Loss of amenity for residents.
- The proposed development was in open Countryside.
- The site was designated an area of attractive landscape within a linear park as well as part of the Ouse Valley within the Landscape Character Assessment.
- The proposal would harm the character of the Linear Park.
- Part of the site is in a Flood Plain and floods regularly.
- Ecological damage
- The positioning of a car park in Little Linford Lane will result in transport congestion and danger.
- Lack of public transport provision.
- What confirmation was there that the Council and Parks Trust was willing to take on the land and the associated costs.
- The nature reserve was one of the most viable sites within Milton Keynes and supported numerous species, any

domestic animals would destroy what habitat would remain after development.

- Removal of trees in the area would have a negative impact on the flood plain.

The Applicant's agents told the Committee that the scheme would provide a full 30% affordable housing and significant s106 contributions.

The extension of the Park was in line with policy. The site was between two other areas of housing and would link well. The Committee was told that the site was in flood zone 1. An environmental assessment had been undertaken, there were no objections from Environmental England, no objections had been made by the Councils Environmental Officers.

It was accepted that there would be short term harm but these were outweighed by the long term benefits which included the extension of the Linear Park and Nature Reserve and the creation of more optimum habitats for species.

The Applicants Agent told the Committee that he did not believe that the 5 year housing land supply quoted was a robust figure due to the methodology used to calculate it and a number of assumptions that had been built into it. Furthermore the Applicant's agent confirmed that an appeal decision had been made that questioned the validity of refusal where the supply was only a small amount over the required figure. It was contended that the Council was still not able to 'Demonstrate Clearly' that it had a 5 year Housing Land Supply as required by the NPPF.

The Senior Planning Officer – Development Plans told the Committee that he was confident that the calculations were robust and made on an acceptable basis and could be defended if required. The Head of Development Management assured the Committee that he would not expose the Council to risk unless confident in the figures presented. It was further confirmed that the case referred to by the applicants had been allowed for a number of reasons and it was not his view that the 5 year housing land supply issue had not been the main reason.

The Senior Planning Officer confirmed that the site was in Flood Zone 1.

Councillor A Geary proposed that the Officer recommendation to refuse the application for the reason stated above be agreed, this was seconded by Councillor Legg.

The Committee debated the merits of the assessment system used to determine the 5 year housing land supply, which was known as the 'Liverpool Method' it was further commented that as Milton Keynes was pro-actively encouraging growth this was the preferred option.

The Committee expressed serious concerns in respect of the damage likely to be caused by the development should it proceed but noted that this did not form a reason to refuse the application.

On being put to the vote the proposal to refuse the application for the reason stated above was carried unanimously, and it was;

RESOLVED –

That the application be refused as the proposed development, by virtue of its location outside the settlement boundary of Milton Keynes the proposed development would represent an intrusive form of development in the open countryside which is identified as an Area of Attractive Landscape in the Milton Keynes Local Plan 2001-2011 (adopted 2005), which would be detrimental to the open, rural character of the locality. The proposal would result in the loss of a substantial area of varied habitat and appearance and would harm the special landscape character of the area in this regard, providing an urbanised character and appearance to the land. No evidence has been presented to demonstrate that the proposed housing is essential for agriculture, forestry, countryside recreation, and is not considered to be an appropriate form of development in a rural area. The proposal is therefore contrary to Saved Policies S10 (Open Countryside) and S11 (Areas of Attractive Landscape) of the Milton Keynes Local Plan 2001-2011 (adopted 2005), Policy CS9 (Strategy for the Rural Area) of the Core Strategy (adopted 2013), and the

aims and objectives of the National Planning Policy Framework 2012

16/02217/OUT

OUTLINE APPLICATION WITH ALL MATTERS RESERVED FOR A DEVELOPMENT OF UP TO 16 DWELLINGS AT LAND SOUTH OF 7, BEDFORD ROAD, SHERINGTON FOR TRUSTEES OF THE COOK SETTLEMENT

The Senior Planning Officer introduced the application with a presentation. The Committee heard that determination of the application had been previously refused to allow additional work to be done in respect of the proposed footpath and its relationship to the Scheduled Ancient Monument. Since that time to ability of the Council to demonstrate a 5 year housing land supply meant that the officer recommendation now took account of policy S10 of the saved local plan in so far as the proposed site was in open countryside, therefore the recommendation was now that the application be refused as the proposed development, by virtue of its location outside of the settlement boundary of Sherington would represent an intrusive form of development in the open countryside which is identified as an Area of Attractive Landscape in the Milton Keynes Local Plan 2001 – 2011 (adopted 2005), which would be detrimental to the open, rural character of the locality. The proposal would harm the special landscape character of the area resulting in an urbanised character and appearance to the land. No evidence has been presented to demonstrate that the proposed housing is essential for agriculture, forestry, countryside recreation, and is not considered to be an appropriate form of development in a rural area. The proposal is therefore contrary to Policies S10 (Open Countryside) and S11 (Areas of Attractive Landscape) of the Milton Keynes Local Plan 2001 – 2011 (adopted 2005), Policy CS9 (Strategy for the Rural Area) of the Core Strategy (adopted 2013), and the aims and objectives of the National Planning Policy Framework 2012.

- The Committee heard representations from objectors who raised the following concerns;

- Sherington Parish had been designated a 'Selected Village' with an agreed expansion limit.
- Agreed development was for up to 40 houses including affordable housing, this criteria had been fulfilled and exceeded with 46 dwellings approved including affordable housing.
- The site was in open countryside
- The residents of Hill view and Bedford Road would see a loss of amenity and increased traffic.
- The emerging Neighbourhood Plan was in an advanced stage and defined the settlement boundary which did not include the site subject of the application.
- The Neighbourhood Plan was set for public examination on 12 April 2017 and was anticipated to be made before the end of the summer.
- Should the Neighbourhood Plan be made the Housing Land Supply that would be relevant would be 3 years and therefore the Council was clearly able to demonstrate this.

The applicant had declined a right of reply.

Councillor A Geary proposed that the Officer recommendation to refuse the application for the reason as stated above be agreed, this was seconded by Councillor Legg.

Members of the Committee commented that the development was clearly contrary to the relevant policies. It was also noted that the Neighbourhood Plan whilst it could not be given full weight ought to be considered due to the exemplary manner in which it had been developed and drawn up.

It was proposed by Councillor Bint that an informative be added to read;

'The applicants are advised that the Development Control Committee considered that the proposal undermined the integrity of the Sherington Neighbourhood Plan in particular the requirements of Policy NP1. Had the Plan been made, this would

have been included in the reason for refusal’.

This was seconded by Councillor A Geary.

On being put to the vote the inclusion of the informative was carried unanimously.

On being put to the vote the proposal to refuse the application for the reason stated above was carried unanimously, and it was;

RESOLVED –

1. That planning permission be refused as the proposed development, by virtue of its location outside of the settlement boundary of Sherington would represent an intrusive form of development in the open countryside which is identified as an Area of Attractive Landscape in the Milton Keynes Local Plan 2001 – 2011 (adopted 2005), which would be detrimental to the open, rural character of the locality. The proposal would harm the special landscape character of the area resulting in an urbanised character and appearance to the land. No evidence has been presented to demonstrate that the proposed housing is essential for agriculture, forestry, countryside recreation, and is not considered to be an appropriate form of development in a rural area. The proposal is therefore contrary to Policies S10 (Open Countryside) and S11 (Areas of Attractive Landscape) of the Milton Keynes Local Plan 2001 – 2011 (adopted 2005), Policy CS9 (Strategy for the Rural Area) of the Core Strategy (adopted 2013), and the aims and objectives of the National Planning Policy Framework 2012

2. That an informative be added to read;

‘The applicants are advised that the Development Control Committee considered that the proposal undermined the integrity of the Sherington Neighbourhood Plan in particular the requirements of Policy NP1. Had the Plan been made, this would have been included in the reason for refusal’.

the Development Control Committee with an interim review after the first 6 months regarding the success of the scoring chart.

THE CHAIR CLOSED THE MEETING AT 10:22 PM