



Minutes of the meeting of the DEVELOPMENT CONTROL COMMITTEE held on THURSDAY 11 APRIL 2013 at 7.00 pm.

Present: Councillor White (Chair)
Councillors: Eastman, Exon, A Geary, Ferrans, Hawthorn, Kennedy, Legg and Middleton

Officers: A Horner (Head of Development Management), J Fox (Development Management Team Leader, Strategic Applications), A Holloway (Senior Planning Officer), D Kirk (Senior Planning Officer), J Lee (Senior Planning Officer), A Swannell (Senior Engineer), M Kelly (Senior Solicitor), and D Imbimbo (Committee Manager).

Number of Public Present: 19

Apologies Councillors Hopkins and McLean

DCC108 CHAIRMANS WELCOME

The Chair welcomed Members, Officers and public and explained the procedures to be adopted.

DCC109 MINUTES OF PREVIOUS MEETINGS

RESOLVED -

That the minutes of the meetings of the Development Control Committee held on 14 March 2013, be agreed as an accurate record, and signed by the Chair as such.

DCC110 DECLARATION OF INTERESTS

Councillor Ferrans declared a prejudicial interest in respect of Application 05 - 12/01667/FUL as a friend of the applicants and having had discussion on it with them.

Councillor Exon declared a personal interest in respect of Application 05 - 12/01667/FUL as a friend of the applicants.

Councillor Eastman declared a personal interest in respect of Application 05 - 12/01667/FUL as a former employee of the

applicants.

Councillor A Geary declared a personal interest in respect of Application 02 - 12/01284/MIN as a business acquaintance of the applicants and having had discussion on it with them.

DCC111 REPRESENTATIONS ON PLANNING APPLICATIONS

Councillor E Bald, (MKC), Councillor S Burke (MKC) and Mrs A Taylor spoke in objection to application 12/00628/FUL Erection of electricity sub-station and associated access from H7 Chaffron Way at land to the east of, Chaffron Way V1 To V2, Milton Keynes for Western Power Distribution

The applicant's agents, Mr R Cooke exercised the right of reply.

Mr. L Lean spoke in objection to application 12/02551/FUL Application for a new planning permission to replace an extant planning permission 07/01975/FUL (allowed on appeal) in order to extend the time limit for implementation for the demolition of existing food store, retail units and community centre and erection of replacement food store (class a1), 4 x non-food (class a1) retail units, and associated works; including the relocation of the old bath house and the facade of the old fire station, along with enhanced highway works and parking provision at Tesco Stores Ltd at Tesco Stores Ltd, McConnell Drive, Wolverton for Tesco Stores Limited

The applicant's agent, Mr. R Robinson exercised the right of reply.

DCC112 PLANNING APPLICATIONS

12/00628/FUL ERECTION OF ELECTRICITY SUB-STATION AND ASSOCIATED ACCESS FROM H7 CHAFFRON WAY AT LAND TO THE EAST OF, CHAFFRON WAY V1 TO V2, MILTON KEYNES FOR WESTERN POWER DISTRIBUTION

The Officer reported that consideration of this application had been deferred from the meeting held on 14 March to enable members of the public to register to speak in objection.

The Committee heard that since the agenda had gone to print consideration had been given to the proximity of the development to residential properties and to representations received. It was therefore recommended that an additional condition be included this was to read;

'Pursuant to the Town and Country Planning General Permitted Development Order 1995 or any Statutory Instrument revoking or re-enacting that Order, the provisions of Article 3(1) and Class G of

part 17 of Schedule 2 to the said Order (relating to Electricity undertakings) shall not apply to any dwelling to which this permission relates and no such development shall be carried out without the permission of the Local Planning Authority being first obtained.'

Reason: To protect the amenity of the nearby residential properties.

In addition the officer reported that there was a typing error in condition 3 as shown in the agenda and that it was recommended that the wording be changed to read "the acoustic enclosures for the transformers shall be submitted".

The Committee heard representations that local residents held concerns that the site would have three detrimental impacts namely on the view, in terms of noise generated by cooling fans and potential harm to health.

The Committee also heard representations from the agents rebutting these concerns.

The Ward Members reminded the Committee that the site was originally set aside for a sub-station on a smaller scale and that since that time development of residential dwellings had been permitted which were much closer to the site than originally intended, the impact of the larger sub-station on property that was in closer proximity had not been envisaged when the site was originally designated.

The Officer reported that the recommendation remained to permit the application subject to the conditions detailed in the report together with the additional condition.

Councillor White proposed that the Officers recommendation be approved. This was seconded by Councillor Ferrans.

Members recognised that whilst there was a perception that there existed a risk to health the site was assessed as being within thresholds set by the D. o. E. and there was no evidence to support the concerns.

In recognition of the potential noise impact of the cooling fans Councillor Ferrans proposed that an additional condition to read;

Should the cooling fans hereby permitted operate more than 10 times within any 12 month period, within 3 months of the last such occasion the operator shall submit a new Noise Assessment Report to the Local Planning Authority for approval. Within 3 months of that approval the recommendations contained within the approved Noise Assessment Report shall be carried out in full and be retained thereafter.

Reason: To safeguard the amenities of local residents.

Be added, this was seconded by Councillor White.

The proposal to add the additional condition was agreed.

On being put to the vote the motion as amended to include the additional condition was declared carried.

RESOLVED –

That planning permission be granted subject to the conditions set out at the end of the report (as amended) and additional conditions to read;

‘Pursuant to the Town and Country Planning General Permitted Development Order 1995 or any Statutory Instrument revoking or re-enacting that Order, the provisions of Article 3(1) and Class G of part 17 of Schedule 2 to the said Order (relating to Electricity undertakings) shall not apply to any dwelling to which this permission relates and no such development shall be carried out without the permission of the Local Planning Authority being first obtained.’ And,

Should the cooling fans hereby permitted operate more than 10 times within any 12 month period, within 3 months of the last such occasion the operator shall submit a new Noise Assessment Report to the Local Planning Authority for approval. Within 3 months of that approval the recommendations contained within the approved Noise Assessment Report shall be carried out in full and be retained thereafter.

12/01284/MIN

**CONSTRUCTION OF SITE ACCESS,
EXTRACTION OF SAND AND GRAVEL,
TEMPORARY SITING OF PLANT AND
MACHINERY AND RESTORATION TO
AGRICULTURE USING IMPORTED MATERIAL**

(INERT FILL) AND IN SITU OVERBURDEN AND SOILS (RESUBMISSION OF 11/01477/MIN) AT LAND SOUTH OF CALDECOTE FARM, WILLEN ROAD, NEWPORT PAGNELL FOR SPECIALIST GROUNDWORK SERVICES CONSTRUCTION LTD

Councillor A Geary stood down from the Committee for this Item.

The Officer reported that her recommendation remained that the application be granted subject to the conditions set out at the end of the report amended as below and to include an additional condition as below.

Condition 12.to be amended -

No part of the development shall commence until such time as the new means of access to Willen Road (as shown on drawing number JD/MSE/3108-5 received 15 November 2012) has been laid out and constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Throughout the operation and restoration of the quarry vehicular access and egress to the site shall be via the new means of access to Willen Road only.

Reason: In order to ensure a satisfactory standard of access to the proposed development in the interest of road safety and convenience.

Condition 13.to be amended

Prior to the commencement of the operations hereby permitted, details of the arrangements and method of operation of the wheel cleaning system to ensure all vehicles exiting the development use the wheel cleaning facility shall be submitted to and approved in writing by the Mineral Planning Authority. The approved wheel cleaning facilities shall be provided on site with appropriate drainage prior to commencement and thereafter maintained to the satisfaction of the Mineral Planning Authority. No commercial vehicles shall enter the public highway unless their wheels and chassis have been cleansed of mud and other debris by the use of such facilities to the fullest extent reasonably practicable to prevent mud being carried onto the highway.

Reason: In the interests of highway safety and to prevent mud and dust falling on the highway.

Additional Condition –

No other part of the development shall commence until visibility splays have been provided on both sides of the access between a point 9m along the centre line of the access measured from the edge of the carriageway to a point 215m along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 0.6m in height above the nearside channel level of the carriageway.

Reason. To provide adequate visibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access

The Committee heard from the Head of Development Management that the saved policies of Milton Keynes Minerals Local Plan 2001-2011 remain relevant policies when considering the application.

Reason. To provide adequate visibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access

Councillor White proposed that the Officers recommendation be agreed, this was seconded by Councillor Ferrans.

Councillor White expressed concern that the Mineral Plan had not been reviewed in the recent past and whilst it would not impact on consideration of this application it would benefit from a review and asked that the Committee refer it to the Cabinet for review.

On being put to the vote the motion was declared carried.

RESOLVED –

1. That planning permission be granted subject

to the conditions set out at the end of the report and as detailed above

2. That the 'Mineral Plan be referred to Cabinet for review.

12/02551/FUL

APPLICATION FOR A NEW PLANNING PERMISSION TO REPLACE AN EXTANT PLANNING PERMISSION 07/01975/FUL (ALLOWED ON APPEAL) IN ORDER TO EXTEND THE TIME LIMIT FOR IMPLEMENTATION FOR THE DEMOLITION OF EXISTING FOOD STORE, RETAIL UNITS AND COMMUNITY CENTRE AND ERECTION OF REPLACEMENT FOOD STORE (CLASS A1), 4 X NON-FOOD (CLASS A1) RETAIL UNITS, AND ASSOCIATED WORKS; INCLUDING THE RELOCATION OF THE OLD BATH HOUSE AND THE FACADE OF THE OLD FIRE STATION, ALONG WITH ENHANCED HIGHWAY WORKS AND PARKING PROVISION AT TESCO STORES LTD AT TESCO STORES LTD, MCCONNELL DRIVE, WOLVERTON FOR TESCO STORES LIMITED

The Officer reported that her recommendation remained that the application be granted subject to the conditions set out at the end of the report.

Members heard that the application had been deferred to enable additional information to be obtained in respect of the arrangements for traffic in particular at the junction with Stratford Road.

The Officer reported that a meeting had been held between the Ward Member, Highways Officer and Applicant and options considered. It was recognised that the introduction of signaled control at the junction was seen as the optimum option to ensure safety concerns were addressed.

The Committee heard that the application was for an extension of the time limit and that the material details were the same as those which had been previously approved by the Secretary of State, and that the Committee had to satisfy itself that there had been no major changes to planning policy or circumstances that could justify a refusal of the application.

Councillor White proposed that the Officers recommendations be agreed this was seconded by Councillor Ferrans.

On being put to the vote the motion to approve the application was carried and it was;.

RESOLVED –

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

12/02553/CON

APPLICATION FOR A NEW PLANNING PERMISSION TO REPLACE AN EXTANT PLANNING PERMISSION 07/02014/CON (ALLOWED ON APPEAL), IN ORDER TO EXTEND THE TIME LIMIT FOR IMPLEMENTATION FOR THE DEMOLITION OF FOOD STORE, COMMUNITY CENTRE, RETAIL UNITS, THE REAR OF OLD FIRE STATION AND CANOPY, AND WALL ALONG STRATFORD ROAD AT TESCO STORES LTD, MCCONNELL DRIVE, WOLVERTON FOR TESCO STORES LIMITED

The Officer reported that her recommendation remained that the application be granted subject to the conditions set out at the end of the report.

Members heard that the application had been deferred together with application 12/02551/FUL

The Committee heard that the application was for an extension of the time limit and that the material details were the same as those which had been previously approved by the Secretary of State, and that the Committee had to satisfy itself that there had been no major changes to planning policy or circumstances that could justify a refusal of the application.

Councillor White proposed that the Officers recommendations be agreed this was seconded by Councillor Ferrans.

On being put to the vote the motion to approve the application was carried and it was;.

RESOLVED –

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

12/01667/FUL

CHANGE OF USE FROM DWELLING HOUSE (USE CLASS C3) TO TEACHING FAMILY CENTRE (SUI GENERIS) (RETROSPECTIVE) (RESUBMISSION OF 12/00849/FUL) AT 7 MILL LANE, WOOLSTONE, MILTON KEYNES FOR WARD ANDREWS

Councillors Ferrans, Exon and Eastman stood down from the Committee for this Item.

The Officer reported that the applicants had confirmed that the agreement with the Barge PH to park cars in the pub car park has been extended to October 2014 and that his recommendation remained that the application be granted subject to the conditions set out at the end of the report.

Councillor White proposed that the Officers recommendations be agreed this was seconded by Councillor A Geary

On being put to the vote the motion to approve the application was carried unanimously and it was;

RESOLVED –

That planning permission is granted subject to the condition set out at the end of the report.

THE CHAIR CLOSED THE MEETING AT 8:20 PM