



**Minutes of the meeting of the DEVELOPMENT CONTROL PANEL held on THURSDAY 21 JANUARY 2016 at 7:00 pm.**

**Present:** Councillor: White (Chair)  
Councillors: McLean (substituting for Councillor A Geary), Morla (replacing Councillor Buckley), C Williams and P Williams

**Officers:** S Manley (Interim Head of Development Management), D Kirk (Team Leader Minor Applications), A Smith (Senior Planning Officer), K Lycett (Senior Planning Officer), K Sharma (Planning Officer), M Pearce (Planning Officer), D Hird (Planning Officer), S Peart (Conservation and Archaeology Manager), V Blane (Planning and Environment Team, Legal Services) and D Imbimbo (Committee Manager).

**Number of Public Present:** 35

**Also Present:** Councillors Bradburn, Exon, Lewis and Long

**DCP39 WELCOME AND INTRODUCTIONS**

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

**DCP40 APOLOGIES**

Apologies had been received from Councillors Buckley and A Geary

**DCP41 DECLARATIONS OF INTEREST**

It was noted that Miss D Hird (Planning Officer) was related to the applicants for application 15/02304/FUL, she had however not been involved in the application assessment or producing the report and would not be present in the Chamber when the matter was discussed.

**DCP42 REPRESENTATIONS ON PLANNING APPLICATIONS**

Mrs J Bromley spoke in objection to application 15/02304/FUL Two storey side extension incorporating demolition of single storey side projection at Primrose Cottage, 27 Bradwell Road, Loughton, the application having been recommended for refusal.

The applicant's agent, Mr A Morrow, exercised the right of reply.

Mrs L Poizat (Resident and Member of the Water Eaton Residents Association spoke in objection to application 15/02346/FUL, Removal of conditions 6 (use only as a school and not for hire) and

12 (opening hours) attached to application 13/02594/FUL at The Premier Academy , Saffron Street, Bletchley.

The applicants agent, Mr Paul Smith, exercised the right of reply

Ms C Howells spoke in objection to application 15/02623/FUL  
Erection of a two storey rear extension at 11 Swayne Rise,  
Middleton, Milton Keynes.

The Applicants agent, Mr Berlouis, declined the right of reply

Dr M Devine, Councillor Bradburn and Councillor Lewis spoke in  
objection to application 15/02462/FUL, Replacement of a single  
storey conservatory with a two storey rear extension and insertion of  
windows to the side elevation of original dwelling at 4 Rylstone  
Close, Heelands, Milton Keynes

The Applicant, Mr Bride, declined the right of reply.

## **DCP43**

### **APPLICATIONS**

#### **15/02304/FUL TWO STOREY SIDE EXTENSION INCORPORATING DEMOLITION OF SINGLE STOREY SIDE PROJECTION AT PRIMROSE COTTAGE, 27 BRADWELL ROAD, LOUGHTON FOR MR MARTIN HIRD**

The Panel heard objections from the occupant of the neighbouring property who expressed concern that the proposed development would have an overbearing impact on her property and block light to her conservatory. The development would result in a large wall being against the boundary of her property.

The applicant's agent told the Panel that the design and construction sought to be sympathetic to the conservation area and was to be of the highest quality.

The Officer reported that a Site Inspection had been undertaken on Monday 18 January 2016 attended by Councillors White and C Williams, with apologies from Councillor McLean, otherwise there was no update on the Panel report and that the recommendation remained to refuse the application for the reasons stated in the report.

Councillor White proposed that the officer recommendation be agreed this was seconded by Councillor C Williams.

Councillor C Williams told the Panel that having attended the Site Inspection he shared the objectors concerns in so far as the development would be overbearing due to the relative ground levels. He confirmed that he shared the view of the Conservation Manager that the property represented the 'Gateway' to the Loughton

Conservation Area and as such the proposed development would have a detrimental impact, it was acknowledged that there may be scope to design an alternative that could be deemed acceptable but the present scheme failed on this point.

On being put to the vote the proposal to refuse the application was carried, and it was;

RESOLVED –

That planning permission be refused for the below reasons;

1. By reason of its size and design, the proposed extension would not integrate acceptably with the existing dwelling and streetscene and would fail to preserve the character and appearance of the Loughton Conservation Area. As such the development would be contrary to Saved Policies D2 and HE6 of the Milton Keynes Local Plan 2001-2011, Policies CS13 and CS19 of the Milton Keynes Core Strategy (2013) and the advice contained within Chapter 12 of the National Planning Policy Framework (2012).

2. By reason of its size, design, and siting on a higher land level, the proposed two storey extension would appear visually intrusive and overbearing when viewed from the dwelling and amenity area to the south of No. 1 Lucy Lane. In addition, the proposed development would unacceptably reduce the daylight enjoyed by this neighbouring property. As such the proposed development would be contrary to Saved Policy D1(iii) of the Milton Keynes Local Plan 2001 – 2011 and the advice contained within the Core Planning Principles in Paragraph 17 of the National Planning Policy Framework (2012).

15/02346/FUL

**REMOVAL OF CONDITIONS 6 (USE ONLY AS A SCHOOL AND NOT FOR HIRE) AND 12 (OPENING HOURS) ATTACHED TO APPLICATION 13/02594/FUL AT THE PREMIER ACADEMY , SAFFRON STREET, BLETCHLEY FOR MR WARREN HARRISON**

The Panel heard from the objector that when the application to develop the site was granted the conditions were imposed to protect the amenity of neighbours and that removing the conditions was unreasonable and would result in more disruption to residents in an area that already suffered from considerable disruption on a daily basis. The Panel was told that the officer report contained an error in so far as the canteen was referred to as 'to be

built' where in fact it had been built and was in use, the conditions at appeal had not been adhered to in so far as the car park and through road had not been built.

The additional parking proposed in the plans did not have planning permission or an application submitted.

The Objector told the Panel that they objected to any removal of conditions until the through road had been completed.

The applicants agent told the Panel that the application was the same as a recent approved application for the adjacent hall. He also told the Panel that the impact was considered to be less than the already approved application.

The agent told the Panel that a noise assessment agreed by the Council's Environmental Officer demonstrated that there would be no disturbance to neighbours,

The Officer reported that there had been two further written representations which had been detailed in the published additional papers, it was also noted that the works on the canteen had been completed and therefore condition 11 was also recommended to be removed as that referred to the works, the Panel heard that the recommendation remained to grant the application subject to the conditions detailed in the report.

Councillor White proposed that the officer recommendation be agreed this was seconded by Councillor C Williams.

Councillor C Williams told the Panel that he was aware of the problems reported by residents but would benefit from being able to visit the Site together with all relevant officers to gain a better understanding of any potential impact granting the application may cause and therefore proposed that the determination of the application be deferred to allow a Site Inspection to be undertaken and to ensure that all relevant officers were in attendance. He also asked that it be stressed to the Ward Councillors that their attendance would be appreciated as they had a better understanding of the local impact. This was seconded by Councillor White.

It was commented that should the recommendation remain the same that condition 3 be reviewed to be unambiguous in respect of which amplification system is referred to and

condition 4 needs to be clear in respect of what 'in use' means. On being put to the vote the motion to defer the determination of the application was carried, and it was;

RESOLVED –

That determination of the application be deferred to allow a Site Inspection to be undertaken.

15/02623/FUL

**ERECTION OF A TWO STOREY REAR EXTENSION AT 11 SWAYNE RISE, MIDDLETON, MILTON KEYNES FOR MR & MRS P LAMENDOLA**

The Panel heard representations from an objector who stated that there were significant congestion problems in the cul-de-sac early in the day and allowing construction to take place before 09:00 and therefore requested that condition 3 be amended to 09:00 to 18:00 rather than the proposed 08:00 to 18:00 to minimise disruption. This was a problem that had occurred on a previous occasion and therefore the reasoning could be fully justified. The Objector commented that there was a likelihood of negative impact on the adjoining neighbours property due to the window proposed on the side wall.

The Officer reported that condition 3 was a standard condition applied when considered necessary and it was within the gift of the Panel to propose a variation of times should it be deemed reasonable, there was no update on the Panel report and that the recommendation remained to grant the application subject to the conditions detailed in the Panel report.

Councillor White proposed that the officer recommendation be agreed this was seconded by Councillor C Williams.

Councillor White stated that he was familiar with the location and recognised the issues raised by the objector in respect of access and egress in the early part of the morning and therefore proposed that condition 3 be amended to read;

“No building or other site works likely to cause nuisance to adjoining occupiers shall be carried out before 9.00 am or after 6pm Mondays to Fridays, nor before 9am or after 1pm on Saturdays, or at any time on Sundays or Bank Holidays.(S04)

Reason: To limit the detrimental effect on adjoining occupiers by reason of noise, disturbance and parking at peak times”

Councillor C Williams seconded the proposal to amend condition 3 as above.

It was commented that agreeing this amendment could set a precedent, and having viewed the plans the problems reported are no worse than others that are regularly objected to.

On being put to the vote the proposal to amend condition 3 as above was carried

On being put to the vote the motion to approve the application subject to the conditions in the Panel report amended as above was carried unanimously, and it was;

RESOLVED –

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

**15/02462/FUL**

**REPLACEMENT OF A SINGLE STOREY CONSERVATORY WITH A TWO STOREY REAR EXTENSION AND INSERTION OF WINDOWS TO THE SIDE ELEVATION OF ORIGINAL DWELLING AT 4 RYLSTONE CLOSE, HEELANDS, MILTON KEYNES FOR MR & MRS BRIDE**

The Panel heard from a member of the public and the two Ward Councillors speaking in objection to the application a number of matters were raised that were not planning considerations. The Panel heard that there were concerns that the description on the application did not give an accurate description of the intended use of the rooms proposed to be built. The neighbour told the Panel that the proposed development would result in a loss of privacy and an over bearing structure adjacent to his property.

The Chair reminded the public that Officers and Members could only make their assessment on the information provided and should there be breaches of planning law these ought to be reported to the enforcement team and relevant action could be taken.

The Ward Councillors told the Panel that the neighbours concerns were shared by a large number of residents. The Panel was asked to consider agreeing an informative advising of the consequences of breaching planning Law. It was also commented that previous refusals of applications at the site did not support the officers assertion that the principle of development had been established.

The Officer reported that a Site Inspection had been conducted on Monday 18 January and had been attended by Councillors White and C Williams. The Panel heard that the recommendation remained to grant the application subject to the conditions as detailed in the Panel report together with an additional condition to read;

“Notwithstanding the approved plans, the proposed first floor window on the south west elevation shall be obscurely glazed to a level of obscurity of level 3 within the Pilkington range of Textured Glass or equivalent and be non-opening below 1.7 metres from the level of the finished floor. It shall not be altered to clear glazing or opening below 1.7 metres from the level of the finished floor thereafter.

Reason: To protect the amenity of the neighbouring residential property in accordance with saved Policy D1 (iii) of the Milton Keynes Local Plan 2001-2011”

Councillor White proposed that the officer recommendation be agreed this was seconded by Councillor C Williams.

The Panel heard in response to a question from the objector that he would prefer a condition requiring both the ground and first floor windows to be opaquely glazed. The Panel was advised that this would likely be deemed an unreasonable condition in respect of the ground floor and thereby not enforceable.

Members of the Panel considered whether the proposed extension could be sub-divided into small units, The officer reminded the Panel that any such change would require planning permission and any such change without that permission could be subject to enforcement action.

Councillor C Williams told the Panel that having attended the Site Inspection he was satisfied that the extension would have little impact on the immediate neighbour or any other property in the vicinity.

The Legal Services Officer confirmed that any historical perceived breaches of planning law or any hypothetical beliefs in respect of future use of the premises were not planning considerations in respect of the application before the Panel.

The Panel discussed what benefit an informative may have and what form of words would be appropriate should the Panel choose to add an

informative to the permission.

On being put to the vote the proposal to grant the application subject to the conditions detailed in the Panel report and the additional condition as detailed above was carried unanimously.

It was proposed by Councillor White that an informative be applied to the permission, to read;

‘Any further sub-division of the house or a change of use to a House in Multiple Occupancy would require a full planning application and consent from the Local Planning Authority. Failure to do so would result in suitable enforcement action being taken’

This was seconded by Councillor C Williams before being put to the vote which was carried unanimously, and it was;

RESOLVED –

1. That planning permission be granted subject to the conditions as detailed in the Panel report together with the additional condition as detailed above, and;
2. That an informative reading, ‘Any further sub-division of the house or a change of use to a House in Multiple Occupancy would require a full planning application and consent from the Local Planning Authority. Failure to do so would result in suitable enforcement action being taken’ be attached to the planning permission.

**15/01655/FUL**

**CONVERSION OF ATTIC SPACE TO TWO RESIDENTIAL APARTMENTS INCLUDING THE ADDITION OF 12 VELUX ROOF LIGHTS ON THE REAR ELEVATION TO A PREVIOUSLY PERMITTED THREE STOREY BUILDING CONTAINING FLEXIBLE GROUND FLOOR LAYOUTS FOR B2 USE WITH ANCILLARY RETAIL AND 8 X RESIDENTIAL APARTMENTS ABOVE UNDER REFERENCE NUMBER 13/00538/FUL AT LAND AT, GREEN FARM ROAD, NEWPORT PAGNELL FOR SIGNATURE QUALITY HOMES LIMITED**

The Officer reported that a Site Inspection had been undertaken on Monday 18 January 2016 attended by Councillors C Williams and White, there was no update on the Panel report and published additional papers, and that the recommendation remained to grant the application subject to the conditions detailed therein.

Councillor White proposed that the officer recommendation be agreed this was seconded by



Councillor C Williams.

On being put to the vote the proposal to grant the application was carried unanimously, and it was;

RESOLVED –

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

15/02002/OUT

**OUTLINE APPLICATION FOR THE ERECTION OF UP TO SIX NO. RESIDENTIAL DWELLINGS AND ASSOCIATED CAR PARKING AND ACCESS (RE-SUBMISSION 15/00146/OUT) AT STANTONBURY PARK FARM, WOLVERTON ROAD, GREAT LINFORD FOR MR JOHN GURNEY**

The Officer reported that there was no update on the Panel report and that the recommendation remained to delegate authority to given to the Service Director Planning and Transport in consultation with the Chair and Vice Chair of the Development Control Panel to grant planning permission subject to a S.106 Agreement to secure a financial contribution, as detailed in paragraph 5.20, being completed within 3 months of the date of this resolution or such longer period of time as might be agreed in writing by the Local Planning Authority, and the planning conditions set out in Section 6 of this report.

Councillor White proposed that the officer recommendation be agreed.

Councillor White commented that he held concerns about the access arrangements to the property, however the issues were not sufficient to justify a refusal.

Councillor C Williams stated that he had concerns about the officer recommendation in that he believed that it was not appropriate to delegate authority to the Head of Service where a matter had been referred to the Panel to determine and asked that a change of words be applied.

The Chair adjourned the meeting while the matter was considered.

On resuming the meeting the Chair proposed that the application be approved subject to a S106 agreement to secure a financial contribution as detailed in the Panel report, and delegated authority to be given to the Service Director Transport and Development in consultation with the Chair and Vice Chairs of the Development Control Committee to implement planning

permission on completion of the S106 agreement within 3 months of the date of this resolution or such longer period of time as might be agreed in writing by the Local Planning Authority, and the planning conditions as set out in section 6 of the Panel report.

On being put to the vote the proposal to grant the application in the terms stated was carried unanimously, and it was;

RESOLVED –

1. That the application be approved subject to a S106 agreement to secure a financial contribution, as detailed in the Panel report.
2. That delegated authority to be given to the Service Director Planning and Transport, in consultation with the Chair and Vice Chairs of the Development Control Committee, to implement the planning permission on completion of the S106 within 3 months of the date of this resolution or such longer period of time as might be agreed in writing by the Local Planning Authority, and the planning conditions as set out in section 6 of the Panel report

**15/02617/FUL**

**ERECTION OF NEW SINGLE STOREY BUILDING BLOCK TO ACCOMMODATE 4 NEW CLASSROOMS WITH RELATED FACILITIES TO CATER FOR THE REQUIREMENTS OF EXISTING PUPILS AT PORTFIELDS COMBINED SCHOOL, WESTBURY LANE, NEWPORT PAGNELL FOR MR PETER WAIN**

The Officer reported that there was no update on the Panel report and published additional papers, and that the recommendation remained to grant the application subject to the conditions detailed therein.

Councillor White proposed that the officer recommendation be agreed this was seconded by Councillor C Williams.

On being put to the vote the proposal to grant the application was carried unanimously, and it was;

RESOLVED –

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

**15/02384/FUL**

**INSTALLATION OF AUTOMATIC NUMBER PLATE RECOGNITION CAMERAS (RETROSPECTIVE) AT 4 GLYN SQUARE, WOLVERTON, MILTON KEYNES FOR MISS**

## **SOPHIE PARKINSON**

The Officer reported that there was no update on the Panel report and that the recommendation remained to grant the application subject to the conditions detailed therein. The Officer explained that the applicant was 'Paringeye Ltd.' and that the name appearing on the report was that of the representative.

Councillor C Williams asked that it be minuted that he was disappointed that despite having previously asked that the actual applicant be detailed on the report this had not happened and further sought confirmation this would not re-occur, the Chair concurred with him.

Councillor White proposed that the officer recommendation be agreed this was seconded by Councillor C Williams.

Councillor C Williams sought clarification as to whether it was appropriate to use the word installation be used in place of Development in Condition 3, the Head of Development management confirmed that the correct term was 'development'.

On being put to the vote the proposal to grant the application was carried unanimously, and it was;

RESOLVED –

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

**15/02385/ADV**

**ADVERTISEMENT CONSENT FOR 5 SIGNS MOUNTED ON LIGHTING COLUMNS, SIGNAGE POLES AND ON THE WALL OF THE BUILDINGS TO PROVIDE CARPARK SIGNAGE (RETROSPECTIVE) AT 4 GLYN SQUARE, WOLVERTON, MILTON KEYNES FOR MISS SOPHIE PARKINSON.**

The Officer reported that there was no update on the Panel report and that the recommendation remained to grant the application subject to the conditions detailed therein. The Officer explained that the applicant was 'Paringeye Ltd.' and that the name appearing on the report was that of the representative.

Councillor White proposed that the officer recommendation be agreed this was seconded by Councillor C Williams.

Members of the Panel sought assurance that the signs were clear and easily read by the public.

The Officer reported that comments had been received that the signage was not clear.

It was noted that the Town Council had sought a condition that would require the signage to be clear and readable, but had been advised that this was not a condition that could be reasonably required. The Legal Services Officer confirmed that despite any concerns held the signs were legal and valid and that the condition requested by the Town Council could not be applied and that the contents of the signs was not a material planning consideration unless there were Health and Safety concerns.

On being put to the vote the proposal to grant the application was carried unanimously, and it was;

**RESOLVED –**

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

**THE CHAIR CLOSED THE MEETING AT 8:56 PM**