



Minutes of the meeting of the DEVELOPMENT CONTROL COMMITTEE held on THURSDAY 1 DECEMBER 2016 at 7.00 pm.

Present: Councillor A Geary (Chair)
Councillors: Alexander, Bint, Eastman, Exon, McLean, Morla, Petchey, P Williams and C Wilson.

Officers: B Leahy (Head of Development Management), P Van Geete (Tariff Programme Manager), N Ahmad (Specialist Practitioner Solicitor [Planning]), S Gee (Senior Planning Officer), S Hine (Senior Planning Officer), M Clarke (Senior Urban Designer), A Swannell (Senior Engineer [Highways]) and S Muir (Committee Manager).

Apologies: Councillor Legg

Also Present: Councillors D Hopkins, Webb and C Williams and 52 member of the Public

DCC51 CHAIRMANS WELCOME

The Chair welcomed Members of The Committee, Officers and Public to the meeting and welcomed back Councillor P Williams who had been recently appointed to the Committee as a replacement for Councillor Clifton.

DCC52 MINUTES OF PREVIOUS MEETINGS

RESOLVED –

That the minutes of the Meetings of the Development Control Committee on 25 October 2016 and 3 November, and the meeting of the Development Control Panel on 20 October 2016 be agreed as accurate records and be signed by the Chair as such.

DCC53 DECLARATION OF INTERESTS

Councillor C Williams declared an interest in Application 16/01819/FUL Land East of Furzton Lake, Watling Street J7 to H8, Elfield Park for Golf City MK and the Parks Trust as Ward Councillor for Furzton.

DCC54 REPRESENTATIONS ON APPLICATIONS

Mr J Shreeve, Mr C Jenner, Mr D Lock, Councillor J Jeffrey (Woburn Sands Town Council) and, Councillor D Hopkins (Ward Councillor [Danesborough and Walton]) spoke in objection to application 16/00762/OUT, Land North of Cranfield Road Woburn Sands.

The applicants Agent, Mr Waller and Mr J Hudson (Highways Engineer) exercised the right of reply.

Mr J Osbiston spoke in objection to application 16/01819/FUL, Land east of Furston Lake Watling Street H7 to H8 Elfield Park Milton Keynes and Councillor C Williams who spoke in favour of the application.

Mr Rowland (Applicant), exercised the right of reply.

Councillor Webb (Ward Member) spoke in objection to application 16/01430/OUT, Site to the South West of Bletchley Working Men's Club Duncombe Street Bletchley, Milton Keynes.

Mr D Padalino (Applicant) exercised the right of reply.

DCC55

PLANNING APPLICATIONS

16/00672/OUT OUTLINE APPLICATION (ALL MATTERS RESERVED EXCEPT ACCESS) FOR RESIDENTIAL DEVELOPMENT UP TO 203 DWELLINGS, DOCTOR'S SURGERY, OPEN SPACE, LANDSCAPING, PEDESTRIAN, CYCLE AND VEHICULAR ACCESS FROM NEWPORT ROAD AND CRANFIELD ROAD AND SUPPORTING INFRASTRUCTURE AT LAND NORTH OF, CRANFIELD ROAD, WOBURN SANDS FOR WAVENDON PROPERTIES LTD

The Senior Planning Officer introduced the application with a presentation. The Committee heard that the recommendation remained to grant the application subject to the conditions detailed in the report and a change to Condition 23 in the report to read:

1. Highways conditions-

Additional Highways Conditions:

No part of the development shall commence until the details of the new means of access has been submitted to and approved in writing by the Local Planning Authority. All means of access shall be constructed in accordance with Milton Keynes standard specification and the approved details prior to the occupation of the first dwelling and all means of access shall be maintained thereafter.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

2. Prior to the commencement of any development on this site a Road Safety Audit shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to minimise danger, obstruction

and inconvenience to users of the highway and of the development.

3. Working Hours conditions-

The hours of working on any phase or part of the development during the construction period shall be restricted to 08:30 hours to 18:00 hours Mondays to Fridays, 08:30 hours to 13:00 hours on Saturdays and no working shall take place on Sundays and Public Holidays. For the purpose of clarification of this condition, the term 'working' means the use of plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery, deliveries to the site and the movement of vehicles within the curtilage of the site.

Reason: To minimise disturbance to occupiers of completed and nearby dwellings.

The Senior Planning Officer indicated that a site inspection had taken place on 28 November 2016 and also that the lead Flood Agency had been consulted and had not advised of any concerns or objections with flooding or drainage.

The Senior Engineer [Highways]) advised that a Road Safety Audit and details of the new means of access were required to be submitted to, and approved in writing by, the Local Planning Authority and recommended that an additional condition to read:

No other part of the development shall begin until the new means of access has been sited and laid out in accordance with the details to be subsequently approved pursuant to condition...and constructed in accordance with Milton Keynes Council's standard specification.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

Councillor A Geary proposed that the officer recommendation together with the additional conditions be agreed, this was seconded by Councillor Legg.

The Committee noted that since publication of the Agenda, four submissions in objection had been received from local residents and from David Lock Associates and a Residential Development Scheme Transport Assessment from Scott White and

Hookins.

The Committee heard from 5 objectors to the application who raised the following concerns:

- The times of construction working would cause potential nuisance to residents;
- The increases in traffic volumes and junction access on Newport Road and proximity to the adjacent rail crossing;
- proximity to one of the proposed East West Expressway routes would increase traffic numbers
- increased traffic volumes and noise which would be further exacerbated by the proposed development of the adjacent A421;
- development of greenfield agricultural land;
- evidence of flooding and inadequate drainage to the site; and.
- the proposed housing density was low and therefore unsustainable

The applicant's Agents, Mr Waller and Mr J Hudson (Highways Engineer) exercised the right of reply.

The Committee heard from Councillor Petchey who had attended the site visit and stated he held the following concerns:

- traffic density issues when the level crossing barrier was down;
- schools for the area were provided by Central Bedfordshire Council and confirmation of that Council's capacity for extra pupils was not included;
- If there was no capacity in the Central Bedfordshire Council Schools which were within walking distance of the development, then pupils would be transported to schools in elsewhere which would add to traffic volumes;
- a footpath from the Farm to Newport Road was not shown on the site plan;
- the Site was in open Countryside and would ordinarily be refused outright, the lack of a 5 year land supply for housing did not justify approving a speculative application; and

- the proposed housing density was low and therefore unsustainable;

Councillor Exon indicated that he believed the site to be highly unsustainable on the grounds of the low density of 16 dwellings per hectare when policies cited 30 dwellings per hectare i.e. significant under development of the site that would not assist the Council in achieving the 5 year land supply for housing target.

Councillor Exon also indicated that the application was in contravention of Resolution 24/187 of the United Nations General Assembly definition of sustainable development and the National Planning Policy Framework (NPPF) in respect of future generations. The development would also be contrary to paragraphs 14 and 19 of the National Policy Framework, Saved Policy D1 of the adopted Milton Keynes Local Plan 2001-2011 (adopted 2005) and policy WS5 of the Woburn Sands Neighbourhood Plan 2014-2016 (adopted 2014).

The Committee indicated a number of concerns that included:

- the low number of proposed dwellings was unsustainable;
- where planning permission had been granted on other applications, developers were not building and therefore a condition to require that the start and/or end of the development should be included was required;
- access to the site
- that the school catchment area for the development site fell under neighbouring local authorities;
- the provision of infrastructure such as health facilities was not clear;
- clarification of whether the 5 year land supply for housing targets could be separated between urban and rural parts of the borough and if the rural part of the borough had reached its target; and
- added pressure on local facilities such as highways as the development was close to the proposed East West rail link development and to one of the proposed East West Expressway routes; and

Councillor A Geary summarised that any development of this site would result in the loss of future development and infrastructure options, causing significant and demonstrable harm and was therefore not a sustainable development in accordance with a number of policies.

The Head of Development Management clarified that the 5 year land supply for housing targets covered the whole of Milton Keynes and it had been ruled unsound to split this between the urban and rural parts of the authority.

The Head of Development Management also indicated that refusal under the grounds that development of this site would result in the loss of future development and infrastructure options, causing significant and demonstrable harm and was therefore not a sustainable development in accordance with a number of policies, had, to his knowledge, not been tested.

On being put to the vote, the officer recommendation to grant the planning application subject to the listed and amended conditions was lost, with nine councillors voting against and one councillor abstaining.

Councillor A Geary moved the following motion that was seconded by Councillor Exon:

1. The Committee resolve to refuse planning permission on the basis that any such development of this site would result in the loss of future development and infrastructure options, causing significant and demonstrable harm and is therefore not sustainable development in accordance with Resolution 24/187 of the United Nations General Assembly definition of sustainable development and the National Planning Policy Framework (NPPF) in respect of future generations. The development would also therefore be contrary to paragraphs 14 and 19 of the National Policy Framework, Saved Policy D1 of the adopted Milton Keynes Local Plan 2001-2011 (adopted 2005) and policy WS5 of the Woburn Sands Neighbourhood Plan 2014-2016 (adopted 2014). This does not constitute sustainable development in terms of paragraph 14 of the National Planning Policy Framework.

2. Furthermore the low density of this proposed development would not be considered sustainable given the current objectives of central government and this Council to both optimise use of land and to build both quickly and strategically.

On being put to the vote, the revised motion to refuse the officer recommendation was carried, with nine councillors voting for and one councillor abstaining.

RESOLVED –

- (1) The Committee resolved to refuse planning permission on the basis that any such development of this site would result in the loss of future development and infrastructure options, causing significant and demonstrable harm and is therefore not sustainable development in accordance with Resolution 24/187 of the United Nations General Assembly definition of sustainable development and the National Planning Policy Framework (NPPF) in respect of future generations. The development would also therefore be contrary to paragraphs 14 and 19 of the National Policy Framework, Saved Policy D1 of the adopted Milton Keynes Local Plan 2001-2011 (adopted 2005) and policy WS5 of the Woburn Sands Neighbourhood Plan 2014-2016 (adopted 2014). This does not constitute sustainable development in terms of paragraph 14 of the National Planning Policy Framework.
- (2) Furthermore the low density of this proposed development would not be considered sustainable given the current objectives of central government and this Council to both optimise use of land and to build both quickly and strategically.

16/01819/FUL THE ERECTION OF A 2 STOREY BUILDING HOUSING A CAFE, CYCLE HIRE AND SHOP, PUBLIC TOILETS, SECURITY OFFICE AND SOUVENIR SHOP / TICKET OFFICE PLUS 27 HOLES OF 'JURASSIC-THEMED' ADVENTURE GOLF WITH DINOSAURS, WATER FEATURES AND HARD AND SOFT LANDSCAPING AND AN EXTENSION TO THE ADJACENT CAR PARK AT LAND EAST OF FURZTON LAKE, WATLING STREET H7 TO H8, ELFIELD PARK FOR GOLF CITY MK AND THE PARKS TRUST

The Senior Planning Officer introduced the

application with a presentation. The Committee heard that the recommendation remained to grant the application subject to the conditions as detailed in the Committee report.

The Senior Planning Officer also indicated that litter management and toilet security/inspections would be included in the Management Plan, the scale and height of the building was intentional in order that it could be a local landmark and that management of the cycle shop was included at Condition 6.13.

The Committee heard from Mr J Osbiston in objection to the proposals on the grounds that the proposed elevation of the café building was wrong for the location, the hours of opening would cause nuisance to local residents and that if the application was approved, a licence to sell alcohol should not be approved.

The Committee also heard from Ward Councillor C Williams who spoke in favour of the application but requested the following:

- Condition 20 - the hours of construction to be restricted to 08h00 – 18h00, Monday to Friday and 08h00 – 13h00 on Saturdays,
- that the café and public toilets should not be open after 21.00; and
- that there must be access to all parts of the site including the sculpture.

Councillor A Geary proposed that the officer recommendations subject to the completion of a S106 Agreement to secure a proportionate financial contribution towards the Carbon Offset Fund, a condition listing the approved plans, the conditions set out in Section 6 of the Officer Report and additional conditions relating to a litter management strategy, CCTV details and the relocation of the Triple Star Head sculpture be agreed and this was seconded by Councillor Exon.

Councillor Bint expressed concerns that there wasn't a litter management plan, a requirement for 24 hour CCTV and also about the suggested closing time of the café of 10pm.

Councillor Morla expressed concerns about the size of the dinosaurs and the impact of traffic at Watling Street which was already a very busy road and requested that a Road Safety Assessment be carried out at the access with Watling Street.

Councillor A Geary expressed concerns about the design of the building.

Councillor Bint proposed that should the Committee grant the application an additional condition be added to relocate the Triple Head sculpture, this was seconded by Councillor Morla and on being put to the vote was carried unanimously.

Councillor Bint further proposed that should the Committee grant the application an additional condition be added to include a litter management plan this was seconded by Councillor Morla and on being put to the vote was carried 9 in favour and 1 abstention.

Councillor Bint further proposed that should the Committee grant the application an additional condition be added to install and keep operational CCTV, this was seconded by Councillor Morla and on being put to the vote was carried unanimously.

Councillor Bint further proposed that should the Committee grant the application an additional condition be added to change the opening and closing times of the café and public toilets, this was seconded by Councillor Morla.

The Committee noted that Licenses to sell alcohol or Temporary Event Notices were subject to Licensing Committee approval and that hours of opening could be controlled by the Regulatory Committee, should there be any noise or nuisance issues.

On being put to the vote, the proposal to change the opening and closing times was lost with 6 votes against and 4 votes in favour.

On being put to the vote the proposal to approve the application subject to the above conditions was unanimously agreed.

RESOLVED –

That planning permission be granted subject to the completion of a S106 Agreement to secure a proportionate financial contribution towards the Carbon Offset Fund, a condition listing the approved plans, the conditions set out in Section 6 of the Officer Report and additional conditions relating to a litter management strategy, CCTV details and the relocation of the Triple Star Head sculpture.

16/01430/OUT

OUTLINE PLANNING PERMISSION FOR THE ERECTION OF TWELVE FLATS TOGETHER WITH PARKING USING THE EXISTING ACCESS INCLUDING APPROVAL OF ACCESS, LAYOUT AND SCALE (APPEARANCE AND LANDSCAPING RESERVED) (RESUBMISSION OF 16/00064/OUT) AT SITE TO SOUTH WEST OF BLETCHLEY WORKING MENS CLUB, DUNCOMBE STREET, BLETCHLEY FOR MR A AMIN

The Senior Planning Officer introduced the application with a presentation.

The Senior Planning Officer added that Environmental Health had raised no objections to the application.

The Committee heard that the Council's Tree Officer had requested that the following conditions be added to preserve trees on site:

Where roots are encountered outside the root protection areas excavate carefully, avoid de-barking, breaking, splitting, splintering or shattering the roots. Once uncovered the roots which will have to be removed to accommodate the construction should be cut back to a point 100mm beyond the nearest edge of the construction, they must be pruned back cleanly with sharp, clean pruning saws or bypass loppers making level, smooth right angle cuts with no ragged edges.

Shuttering should be used to keep concrete pours 100mm away from the cut root ends. The void should be backfilled with an approved tree planting compost mix finished to the surface. Substances toxic to roots to be kept away from roots, i.e. tars, fuels, oils, bitumen, cement etc.

Reason: To adequately safeguard the trees on site.

And

That construction details for areas of raised construction, nil-excavation hard surfacing shall be submitted for approval prior to the commencement of development, demonstrating that they are both specifically tailored to and feasible in this site context.

Reason: To adequately safeguard the trees on site.

And

A method statement for the execution of soft landscaping works within the root protection areas and construction details for areas of raised construction, nil-excavation hard surfacing shall be submitted for approval prior to any work commencing on site. The development shall be carried out in accordance with the approved details.

Reason: To adequately safeguard the trees on the site.

It was further requested that an informative be added to read

“Where roots are encountered outside the root protection areas excavate carefully, avoid debarking, breaking, splitting, splintering or shattering the roots. Once uncovered the roots which will have to be removed to accommodate the construction should be cut back to a point 100mm beyond the nearest edge of the construction, they must be pruned back cleanly with sharp, clean pruning saws or bypass loppers making level, smooth right angle cuts with no ragged edges.

Shuttering should be used to keep concrete pours 100mm away from the cut root

Reason: To adequately safeguard the trees on the site.”

The Senior Planning officer also clarified that the site was formerly a private car park that had been sold as detailed in the report and confirmed that the recommendation remained to grant the application subject conditions as detailed in the committee report together with the additional conditions as above together with the informative as detailed and subject to the S106 Agreement being completed.

Councillor A Geary proposed that the officer recommendation be agreed with additional conditions as advised by the Council’s Tree Officer, which was seconded by Councillor P Williams.

The Committee noted that a submission in objection had been received from Bletchley and Fenny Stratford Working Men’s Club.

The Committee heard from Councillor Webb, Ward member for Bletchley East, in objection to the application who stated that he supported the comments made in the written representation:

Mr D Padalino (Applicant) exercised the right of reply.

Councillor Bint requested clarification of who owned the land occupied by the Sainsbury Car Park, opposite because if the Council was the landowner then it would be public parking, as the application fell short of visitor car parking and it had been suggested in the objectors submission that there was no off road parking in Duncombe Street,

Councillor P Williams requested clarification from the Senior Engineer [Highways]) if there were any issues over access.

Senior Engineer [Highways]) indicated that no issues over access had been raised.

RESOLVED –

That planning permission be granted subject to the conditions as listed in the report together with the additional conditions as detailed above, together with the informative and the completion of a S106 agreement.

DCC56 WOLVERTON MILL SITE G, WOLVERTON, DEVELOPMENT BRIEF

The Committee considered a report in respect of the Draft Development Brief for Stratford Road in Wolverton Mill, the Committee heard from the Urban Designer that consultation was being undertaken with both the public and the Committee and comments received to date were detailed at the Annex of the Committee report.

It was reported that the formal consultation period for this Development Brief would run from the 31st October 2016 to the 10th of January 2017.

The Senior Urban Designer clarified that a water storage facility and dam located in the site was considered low risk but Anglia Water Flood Risk Officer had been contacted for a Flood Risk Assessment.

The Senior Urban Designer also clarified that Schools and Partnerships had requested that the site be used for educational purposes and a pedestrian crossing be included.

Councillor Exon indicated that no bus stops were included on the plan and requested these be included.

RESOLVED –

That the report be noted.

DCC57 STOKE ROAD, WATER EATON, DEVELOPMENT BRIEF

The Committee considered a report in respect of the Draft Development Brief for Stoke Road Water Eaton. The Committee heard from the Urban Designer that consultation was being undertaken with both the public and the Committee and comments received to date were detailed at the Annex of the Committee report and had informed the revised brief.

The Committee heard from Councillor Webb, Ward member for Bletchley East who requested that developments mentioned in the brief should qualify for S106 Planning gain as detailed in the annexes to the report.

RESOLVED –

That Development Control Committee noted the proposed changes to Brief and that the results would be reported as part of the delegated decision to approve the brief.

THE CHAIR CLOSED THE MEETING AT 10:37PM