

Minutes of the meeting of the **DEVELOPMENT CONTROL PANEL** held on **THURSDAY 16 SEPTEMBER 2021** at 7:00 pm.

Present: Councillor Legg (Chair)
Councillors Baume, McLean, and Taylor.

Officers: P Keen (Team Leader (East) - Development Management), C Ashby (Planning Officer) R Larner (Planning Officer), R Widd (Arboriculture Officer), E Gineikiene (Senior Solicitor - Planning and Highways) and D Imbimbo (Committee Manager).

ALSO PRESENT: Councillor Wardle and 1 members of the public.

DCP12 APOLOGIES

Councillor Alexander

DCP13 INTRODUCTIONS AND WELCOME

The Chair welcomed members of the public and councillors, advising that the meeting was being held both in the Civic Offices and remotely and would be broadcast live on YouTube, further explaining the procedures to be adopted.

DCP14 DECLARATIONS OF INTEREST

None were made.

DCP15 REPRESENTATIONS ON APPLICATIONS

Councillor Forgham (Castlethorpe Parish Council) and Councillor Wardle (Ward Councillor) spoke in objection to application 21/01017/FUL/FUL, Loft conversion with front rooflights and rear dormer (Resubmission of 21/00369/FUL) at 23 Thrupp Close, Castlethorpe, Milton Keynes.

The Applicant Mr D Mavir exercised the right of reply.

DCP16 APPLICATIONS

21/01017/FUL LOFT CONVERSION WITH FRONT ROOFLIGHTS AND REAR DORMER (RESUBMISSION OF 21/00369/FUL) AT 23 THRUPP CLOSE, CASTLETHORPE, MILTON KEYNES FOR MR MAVIR.

The Planning Officer introduced the application with a presentation. The Panel heard that the determination of the application had been deferred at the meeting of the Panel on 19 August 2021 to allow a site inspection to be undertaken. The Site Inspection had been conducted on 13 September and had been attended by Councillors Baume, Legg, McLean, and Taylor also in attendance were

Councillor Forgham representing Castlethorpe Parish Council and Ward Councillor Wardle. The Panel heard that the recommendation remained to grant the application subject to the recommendation remained to grant the application subject to the conditions as detailed in the Panel report.

The Panel heard from Objectors who stated that the proposed development was out of character of the area and would have an adverse impact on the street scene. It was their assessment that the proposal was contrary to policy CAS4, 'Design Guidance' in the modified Castlethorpe Neighbourhood Plan. There was also a concern that there would be significant loss of privacy for the neighbouring property 'CasaRocca' due to overlooking, contrary to Policy D3 of Plan:MK. It was further commented that the previous application had been refused as it was considered to be in breach of policies HA1, D1, D2 and D3 of Plan:MK, Policy 3 of the 2017 Castlethorpe Neighbourhood Plan, and Paragraph 16 of the National Planning Policy Framework, in respect of character and design. It was also not in keeping with the other houses in Thrupp Close and in particular the other houses in the terrace and would be visible from the public realm, in particular Castle Field.

It was further commented that although the property would no longer be within the conservation area once that had been redesignated the proposal would not sit well with neighbouring properties, it was also in the now designated character area, which required any development to be in keeping with the existing character of the area and in doing so use sympathetic design and materials. It was noted that the modified neighbourhood plan had been made at Council on 15 September 2021.

The Panel heard that the design of the dormer would result in windows being visible from the patio of CasaRocca and represented a significant loss of privacy.

The Panel heard that the modified Castlethorpe Neighbourhood Plan had been drawn up following significant work and was focused on retaining the character of the area, to allow the application would not be in keeping with those principles and would send the wrong message in respect of the status of Neighbourhood Plans in general.

The applicant told the Panel that the original proposal to alter the front of the property had been amended as it was accepted that did not accord with the street scene, however the rear was flanked by

properties that had dormer windows and the proposed design of the development would better fit in with the character of the area than that proposed as an alternative by the Parish Council. The Applicant told the Panel that the Neighbourhood Plan states that development should conform to the design of adjacent buildings, adjacent builds being defined as two or more buildings on the same plot not separated by any street, avenue or other thoroughfare. The adjacent buildings to the development site have a loft conversion, two double dormers, flat roofs, one wood the other tile clad, a two-storey extension with a flat roof and another with solar panels. None of these properties were separated from the development site by a road or other thoroughfare.

The applicant told the Panel that he believed that the proposed development accords with the neighbourhood plan as the proposed design matched the adjacent buildings. There is no view of the development site from either Castle field or North Street that does not have another dormer window in the sight line. It was also commented that there had been no objection from the occupant of CasaRocca.

The Planning Officer told the Panel that it was her opinion that the proposed development did match the character and design of adjacent buildings and therefore the scheme was considered acceptable.

Councillor Legg, seconded by Councillor McLean, proposed that the recommendation to approve the application subject to the conditions as detailed in the Panel report be agreed.

Members of the Panel commented that the site inspection had proven useful in assessing the proposals in terms of the character of the area. It was noted that there was a significant variety of properties in the vicinity. It was also commented that the Panel fully accepted that a Neighbourhood Plan was an important document when determining an application however it was also necessary to consider the application on its merits. It was noted that the front roof lights would not look out of place as the neighbouring property had solar panels and therefore the impact was minimal. It was also recognised that the proposed rear dormer would be in keeping with the design of adjacent properties to the rear, it was noted that the development would be different to the other properties in the terrace but no significant harm would result. It was further commented that overlooking of CasaRocca was

likely to be minimal due to the proposed height of the extension and that no objection had been received from the owners of that property.

The Team Leader (East) reminded the Panel that the application had not previously been refused on the grounds of residential amenity and that in respect of issues of character, properties are not considered in the sense of silo's, and that a wider view may be necessary particularly in respect of the rear of this site, which would go beyond the defined character area.

On being put to the vote the proposal to grant the application subject to the conditions detailed in the Panel report was carried with Councillors Baume, Legg, and Taylor voting in favour of the proposal and Councillor McLean abstaining from the vote.

RESOLVED –

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

DCP17 CONFIRMATION OF TREE PRESERVATION ORDER AT CHURCH OF ST MARY AND ST GILES, HIGH STREET, STONY STRATFORD PS/540/15/429.

The Planning Officer introduced the application with a presentation. The Panel heard that the proposal was to confirm a tree preservation order that had been placed on a tree that was within a conservation area, following an application to carry out work on it that had been refused.

The Panel heard that the tree was considered to be in relatively good health and held a prominent position in Church Street Stony Stratford. It was considered to have a high visual amenity value. The recommendation was therefore that the tree preservation order be confirmed.

It was confirmed that there had been three objectors to the confirmation of the order.

In response to a question the Arboriculture Officer told the Panel that there were different methods of measuring trees, there was a degree of uncertainty as to the actual height of the tree in question but it was estimated at around 18m.

The Panel was also told that a question had been submitted by an objector which sought to establish who would be liable in the event that falling branches caused injury or damage, it was the owner of the tree who would be liable.

Councillor Legg, seconded by Councillor McLean, proposed that the Officer recommendation to confirm the Tree Preservation Order be agreed.

Councillor McLean, noting that a report was first written in 2019

commented that had the Church held concerns at that time in respect of the condition of the tree work could have been carried out sooner yet nothing had been done. He therefore believed that the proposal to confirm a tree preservation was appropriate. Councillor Legg commented that having an order in place would not preclude applications to carry out works but would prevent the removal of the tree.

On being put to the vote the proposal to confirm the Tree Preservation Order was carried unanimously.

RESOLVED –

That Tree Preservation Order PS/540/15/429 be confirmed.

THE CHAIR CLOSED THE MEETING AT 7:38 PM