



Minutes of the DEVELOPMENT CONTROL COMMITTEE held on THURSDAY 9 MARCH 2017 at 7.00 pm.

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

Officers: B Leahy (Head of Development Management), K Lycett (Senior Planning Officer), A Smith (Senior Planning Officer), N Wheatcroft (Senior Planning Officer), S Taylor (Interim Planning Officer), P Caves (Highways Engineer), A Swannell (Highways Engineer), A Burton (Rights of Way Officer), R Armstrong (Rights of Way Officer), J Pearce (Senior Bridges Engineer), J Price-Jones (Solicitor – Planning) and D Imbimbo (Committee Manager).

Apologies: Councillors Exon, Legg and Morla

Also Present: Councillors Bald, M Bradburn, R Bradburn, Clancy, Exon, Green, Long, McDonald and Patey-Smith

Mr N Weeks (SMT Transport Consultants)

Number of

Public Present: approx. 70

DCC72 CHAIRMANS WELCOME

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

The Chair explained that due to personal circumstances he may have to leave the meeting and in which case as there was no Vice Chair present proposed that it be agreed that in the event that he was called away Councillor McLean be appointed Vice Chair for the meeting and take the Chair in the Chairs absence, this was seconded by Councillor Eastman, on being put to the vote the motion was carried.

RESOLVED –

That Councillor McLean be appointed Vice Chair for the duration of the meeting.

DCC73

MINUTES OF PREVIOUS MEETING

RESOLVED –

That the minutes of the Meetings of the Development Control Committee held on 17 November 2016 and 2 February 2017 and the meetings of the Development Control Panel on 15 December 2016 and 19 January 2017 be agreed as accurate records, and be signed by the Chair as such, subject to an amendment to the resolution at minute DCC49 application15/00619/FUL to read;

‘That determination of the application be deferred to allow for further information to be provided in respect of the modelling processes used to complete the transport assessment and any further legal implications.’

The Committee heard from Mr Galloway (Clerk to Newton Longville Parish Council) in consideration of the Item.

DCC74

DECLARATION OF INTERESTS

Councillor Brackenbury asked that it be noted that in respect of application 16/01475/FUL, being Ward Councillor had attended a meeting organised by the Parish Council where concerns of the Parish had been expressed and the applicant had made comment, he, however, had not expressed a view and would consider the application on its merit.

Councillor Brackenbury asked that it be noted that in respect of application 16/02105/FUL, being Ward Councillor had made comment when consulted that the matter should go before the Committee, he, however, had not expressed a view and would consider the application on its merit.

Councillor Bint asked that it be noted that in respect of application 16/01475/FUL, he was a member of the MK Forum who had submitted objections to the scheme however, he had not had any discussion in respect the application and would judge it on its merits.

Councillor Petchey asked that it be noted that in respect of application 16/01475/FUL, he was a member of the Executive Scrutiny Committee that had considered a community right to buy application; he had not had any discussion in respect the application and would judge it on its merits.

Councillors A Geary and Bint made the same declaration.

Councillor Eastman stated that he was Chair of the Executive Scrutiny Committee, however, he had not had any discussion in respect the application and would judge it on its merits

Councillor Petchey asked that it be noted that in respect of application 16/03520/MKCOD3 he was a member of the Parish Council, but had not been involved in any of the discussions in respect of this matter and would judge the application on its merits.

Councillor Miles asked that it be noted that in respect of application 16/01475/FUL, he was a Trustee of the Parks Trust (The Landowners) and would therefore take no part in the determination of the application.

Councillor Eastman asked that it be noted that in respect of application 16/02904/FUL, being Chair of Newport Pagnell Town Council he was aware of the application but had not taken part in any discussion on the matter or expressed a view and would consider the application on its merit.

Councillor A Geary asked that it be noted that in respect of application 16/02904/FUL, being Ward Councillor he was aware of the application but had not taken part in any discussion on the matter or expressed a view and would consider the application on its merit.

DCC75

QUESTIONS FROM MEMBERS OF THE PUBLIC

- (a) Question from Councillor T Baines (Campbell Park Parish Council) to Councillor A Geary.

‘Following the decision to reduce the number of Planning Enforcement officers in MKC what levels of planning enforcement can we realistically expect?’

The Chair indicated that the decision had been made by Full Council at its budget meeting, however it was anticipated that alternative arrangements would ensure that the post would not be deleted. It was further commented that it was anticipated that an enforcement plan would be presented to the Committee at its Special meeting on 30 March 2017

Councillor Baines asked a supplementary Question;

‘At a recent meeting at Campbell Park Parish Council with Brett Leahy and Gavin Treen we were shown the plans for 2 teams of Enforcement Officers, this has now obviously changed. More worryingly was a response to a question re enforcement from Mr Treen " just because somebody is doing wrong does not mean he or she will be punished". Is this MKC Planning enforcement going back to ‘Woolly’ at best and non-existent at worst?’

The Chair told Councillor Baines that should he be able to provide more detail of any specific cases a written response would be provided.

- (b) Question from Mr Galloway to Councillor A Geary.

On 17th November the committee robustly objected to a consultation on a planning application submitted to Aylesbury Vale District Council including a decision that the chair of DCC would attend the AVDC meeting to give the objections. However since then, no objection has actually been sent to AVDC. Why not and when will it be sent to AVDC. If there is some difficulty coming up with suitable wording may I suggest that the excellent letter of objection submitted by Milton Keynes Council to the

similar application in 2010 be used as a base. Much of the points made then apply just as much now.

The Chair told Mr Galloway that there had been a delay due to the complex nature of the matter, however a letter had been signed by him and had been sent to Aylesbury Vale District Council.

Mr Galloway asked a supplementary Question;

Could it be ensured that it was added to the online system so that it could be viewed.

The Chair confirmed that the letter was a response to Aylesbury Vale District Council and that he was sure they would publish it in accordance with their procedures.

DCC76 DELEGATION OF POWERS UNDER SECTION 257 TOWN & COUNTRY PLANNING ACT 1990 CALVERTON FOOTPATH 52 (PART) EXTINGUISHMENT

The Committee considered a report in respect of the Delegation of powers under Section 257 Town and Country Planning Act 1990 relating to the extinguishment of a part of Calverton Footpath 52.

The Committee sought clarity as to process and why the footpath was to be extinguished rather than diverted. It was noted that in respect of process, should during the consultation stage an objection that cannot be resolved be received the matter would be brought before the Committee, if there was no objection then the order would be completed. It was further noted that in this instance the footpath, which currently runs through a building site, would be replaced by various highways and Red ways.

Councillor A Geary proposed that the powers under section 257 Town and County Planning Act 1990 be delegated to the Rights of Way Officer, this was seconded by Councillor McLean and on being put to the vote was carried, and it was;

RESOLVED –

That powers under Section 257 of the Town and Country Planning Act 1990 for the extinguishment of Calverton Footpath 52 (Part) be delegated to the Rights of Way Officer.

DCC77 DELEGATION OF POWERS UNDER SECTION 257 TOWN & COUNTRY PLANNING ACT 1990 CALVERTON FOOTPATH 56 (part) EXTINGUISHMENT

The Committee considered a report in respect of the Delegation of powers under Section 257 Town and Country Planning Act 1990 relating to the extinguishment of a part of Calverton Footpath 56.

The Committee sought clarity as to process and why the footpath was to be extinguished rather than diverted. It was noted that in respect of process, should during the consultation stage an objection that cannot be resolved be received the matter would be brought

before the Committee, if there was no objection then the order would be completed. It was further noted that in this instance the footpath, which currently runs through a building site, would be replaced by various highways and Red ways.

Councillor A Geary proposed that the powers under section 257 Town and Country Planning Act 1990 be delegated to the Rights of Way Officer, this was seconded by Councillor McLean and on being put to the vote was carried, and it was;

RESOLVED –

That powers under Section 257 of the Town and Country Planning Act 1990 for the extinguishment of Calverton Footpath 56 (Part) be delegated to the Rights of Way Officer.

DCC 78

DELEGATION OF POWERS UNDER SECTION 119 HIGHWAYS ACT 1980 BRIDLEWAY 4 NEWTON BLOSSOMVILLE (PART) AND BRIDLEWAYS 2 & 3 COLD BRAYFIELD (PART)

The Committee considered a report in respect of the Delegation of powers under Section 119 Highways Act 1980 Bridleway 4 Newton Blossomville (part) and Bridleways 2 & 3 Cold Brayfield (part).

Councillor A Geary proposed that the powers under Section 119 Highways Act 1980 Bridleway 4 Newton Blossomville (part) and Bridleways 2 & 3 Cold Brayfield (part) be delegated to the Rights of Way Officer, this was seconded by Councillor McLean and on being put to the vote was carried unanimously, and it was;

RESOLVED –

That powers under Section 119 Highways Act 1980 for the diversion of Bridleway 4 Newton Blossomville (part) and Bridleways 2 & 3 Cold Brayfield (part) be delegated to the Rights of Way Officer.

DCC79

DELEGATION OF POWERS UNDER SECTION 257 TOWN & COUNTRY PLANNING ACT 1990 HANSLOPE PARISH FOOTPATH 38 (PART)

The Committee considered a report in respect of the Delegation of powers under Section 257 Town and Country Planning Act 1990 relating to the diversion of a part of Hanslope Parish Footpath 38

Councillor A Geary proposed that the powers under Section 257 Town and Country Planning Act 1990 relating to the diversion of a part of Hanslope Parish Footpath 38 be delegated to the Rights of Way Officer, this was seconded by Councillor McLean and on being put to the vote was carried unanimously, and it was;

RESOLVED –

That powers under Section 257 Town and Country Planning Act 1990 relating to the diversion of a part of Hanslope Parish Footpath 38 be delegated to the Rights of Way Officer.

DCC80

REPRESENTATIONS ON APPLICATIONS

Mr S Heath, Dr J Gandolfi, Councillor E Thomas (West Bletchley Council), Mr M Galloway (Clerk to and representing Newton Longville Parish Council), Councillor J Nicolas (Shenley Brook End and Loughton Parish Council, Councillor N Long (Ward Councillor) and Councillor A Clancy (Ward Councillor) spoke in objection to application 15/00619/FUL, Physical improvements to the Bottle dump roundabouts and a new access onto the A421 (priority left in only) to accommodate the development of land in Aylesbury Vale District reference 15/00314/AOP at Land at Buckingham Road, Tattenhoe Roundabout, Standing Way To Bottle Dump Roundabout.

The applicant's agent, Mr M Paddle exercised the right of reply.

Mr J Partridge, Mr S Heath, Mr T Skelton, Councillor J Alexander (Bradwell Parish Council), Councillor M Bradburn (Ward Councillor), Councillor Exon (Ward Councillor) and Councillor R Bradburn (Ward Councillor) spoke in objection to application 16/01475/FUL, Demolition of existing public house and erection of 27 dwellings and single storey D1 use building for a community hall with associated new/alterations to vehicle accesses and car parking to east of St Augustine's Church at Site at The Suffolk Punch, Langcliffe Drive, Heelands.

The applicant's agent, Mr S Chapman exercised the right of reply.

Mr B Steadman, Councillor T Baines and Mr C Mead (Campbell Park Parish Council) and Councillor McDonald (Ward Councillor), spoke in objection to application 16/03520/MKCOD3, Construction of a new teaching block with associated additional staff and drop-off car parking at Site Orchard Academy, Springfield Boulevard, Springfield.

The applicant's agent, Mr M Rudman and the Applicant Mr M Shotton exercised the right of reply.

Ms D Sutton and Councillor Green (Ward Councillor), spoke in objection to application 16/02904/FUL, Demolition of one dwelling and erection of ten flats at 2 Westbury Lane, Newport Pagnell.

The applicant's agent, Ms S Turnbull exercised the right of reply.

DCC81

PLANNING APPLICATIONS

15/00619/FUL PHYSICAL IMPROVEMENTS TO THE BOTTLEDUMP ROUNDABOUTS AND A NEW ACCESS ONTO THE A421 (PRIORITY LEFT IN ONLY) TO ACCOMMODATE THE DEVELOPMENT OF LAND IN AYLESBURY VALE DISTRICT REFERENCE 15/00314/AOP AT LAND AT BUCKINGHAM ROAD, TATTENHOE ROUNDABOUT, STANDING WAY TO BOTTLE DUMP ROUNDABOUT FOR SWMK

CONSORTIUM

The Senior Planning Officer introduced the application with a presentation. The Committee heard representations from members of the public, Parish Councils and Ward Councillors in objection to the application, raising the following concerns;

- The Transport Assessment remains inadequate, incomplete and 'unevidenced'.
- No consultation has been undertaken with objectors by the Highways Officers.
- The modelling of the Transport Assessment is flawed.
- The data used for analysis is 3 years old and no longer valid and takes no account of new development in the interim and does not take account of future development on Tattenhoe and Kingsmead.
- Pedestrian and Cycle access has not been adequately assessed and the impacts on Hamilton Lane.
- The application for Highways works ought to be considered in the context of the wider application for the residential estate and the other facilities provided therein.
- The proposals will cause severe traffic congestion rather than alleviate any potential problems.
- The application ought not be considered before the main application was determined by Aylesbury Vale District Council.
- Milton Keynes Council approving this application would suggest that the determination made by the Committee to object to the main proposal to develop the estate it was to serve was not serious.
- There is an obligation on the Council to work with the adjacent Authorities in assessing the application, this has not taken place.
- Paragraph 32 of the National Planning Policy Framework has not been taken account of.

The applicants agent told the Committee that the Transport Assessment a thorough

assessment of transport issues had been undertaken over the last two years and consultation undertaken with all major stakeholders.

The Committee heard that a revised Transport Assessment had been submitted in August 2016 using modelling advised by relevant bodies from the relevant Councils and Highways England. The Assessment takes account of post-development impact. This demonstrated that there would be no negative impact from the development beyond the 2026 baseline and the proposals would assure this was the case.

The Senior Planning Officer told the Committee that it was not being asked to consider the potential congestion from the proposed build on Salden Chase but rather an application to conduct road improvements to the adjacent road. The committee would therefore have to determine the application on the situation as it was at this time, and confirmed that the recommendation remained to grant the application.

The Transport Consultant confirmed that the application took account of the Milton Keynes transport model.

Councillor Bint sought clarification from the applicants agent as to what account had been taken of approved but as yet unbuilt developments and any other potential developments, and also what split of traffic had been considered when assessing traffic travelling from Milton Keynes to Buckingham and the reverse.

The applicants agent confirmed that the model took account of various local plan projections in its construction including all major highway schemes proposed. In respect of the split he was unable to provide that figure but the detail was available in the assessment.

Councillor Bint sought Clarity from an objector, Mr Heath, what engagement had been had between him and officers. Mr Heath confirmed there had been no contact.

Councillor A Geary proposed that the Officer recommendation to grant the application be

agreed, this was seconded by Councillor McLean.

Councillor C Wilson expressed a view that despite this application being separate from the proposed adjacent development it was not possible to make an informed decision before knowing what the future position would be.

Councillor C Wilson proposed that the determination of the application be deferred until Aylesbury Vale District Council (AVDC) have determined the application to develop the Salden Chase estate, this was seconded by Councillor Miles.

Councillor Bint stated that in the event that the determination was deferred it should also be to allow Officers of the Council to engage with the relevant objectors, and in particular Mr Heath, to examine the modelling used to complete the transport assessment and consider any evidence provided by other parties. There was also a need to consider what the nature of the school on the estate would be to assess the impact on traffic that would have and also a need to assess adequately whether those who later occupy the estate would use facilities such as employment, shopping and Rail links in Milton Keynes or Aylesbury.

On being put to the vote the motion to defer the application until AVDC have determined the application to develop Salden Chase was carried unanimously, and it was;

RESOLVED –

That determination of the application be deferred until such time as Aylesbury Vale District Council have determined the Salden Chase application.

16/01475/FUL

DEMOLITION OF EXISTING PUBLIC HOUSE AND ERECTION OF 27 DWELLINGS AND SINGLE STOREY D1 USE BUILDING FOR A COMMUNITY HALL WITH ASSOCIATED NEW/ALTERATIONS TO VEHICLE ACCESSES AND CAR PARKING TO EAST OF ST AUGUSTINE'S CHURCH AT SITE AT THE SUFFOLK PUNCH, LANGCLIFFE DRIVE, HEELANDS FOR HIGH STREET HOMES

The Senior Planning Officer introduced the application with a presentation. The Committee heard following the deferral by the Committee the scheme had been amended to replace the originally proposed nursery with a Community Hall.

It was noted that a number of representations had been received since the publication of the agenda and these had been detailed in the published update reports, it was further commented that an additional condition in respect of recording the existing structure on the site.

The Senior Planning Officer confirmed that the Officer recommendation was to grant the application subject to the conditions as detailed in the Committee report together with the additional condition in respect of recording the existing structure and a S106 agreement to secure the provision of a community hall building and associated parking, or a financial contribution of £208k and granting of land in lieu of the Community Hall with details of the S106 agreement to be agreed by the Head of Development Management following Consultation with the Chair and Vice Chair.

The Committee heard from Objectors who raised the following concerns;

- Loss of amenity for residents.
- A Complete Change in the use of the land.
- A total absence of consultation from the developers.
- The density of the site at 55dph does not comply with Local Policy or National standards.
- The lack of affordable housing provision.
- The proposed provision of a Community Hall is not a provision of a Community Centre which is a different facility.
- The Community hall has limited capacity being one storey rather than 2 and fails to provide for the wider needs of the community as a facility of this nature

should by virtue of being too small and having no capacity for adaptability.

- The proposed Community Hall has limited storage space and kitchen facility
- In general the proposal represents an overcrowded unpopular development that is against the wishes of the residents.
- There are covenants on the site from the Milton Keynes Development Corporation when the site was gifted to the Parks Trust in 1992.
- The granting of planning permission does not convey a right to break the covenants and Milton Keynes Council should not be complicit in condoning any breaking of the Covenants.
- Should the land be given to the Council and a Community centre be built it would necessitate breaking the covenant, although a legal method exists to remove the covenant.
- Should the Committee be minded to approve the application, clauses should be added to the S106 requiring compliance with the covenants or legally removed.
- The proposed layout of the development fails to recognise the requirement to set the rear gardens away from traffic noise on the V7 Saxon Street or take account of the position of the sun.
- Proposed rear fences are 2.4 meters high which is greater than the norm.
- Rear living rooms also face north and do not get sun. proposals do not comply with policy CS17 of the Core Strategy
- The Parish Council does not believe that it should supplement the developers' obligation to provide the facility financially.
- The Suffolk Punch was a successful pub that provided for the wider needs of the Community and is an asset that should not be lost.

- The Public House remains a viable option that local public House suppliers would welcome the option to take the site over.
- Plans presented to the Parish Council bear no relationship to the plans in the report.

The Committee heard from the applicant's agent that the proposal was to develop a sustainable brown field site with dwellings aimed at first time buyers and older people. A viability appraisal has been supplied which supports the developers position in respect of the lack of provision of affordable housing, it should be noted that the developer has also accepted a lower profit margin than might ordinarily be expected to ensure that the development can be delivered. The scheme does however provide for a contribution of the equivalent of £283k for the community hall and land. The Site is constricted by the presence of two water mains and is designed to accommodate them.

The Senior Planning Officer confirmed that the layout of the site was considered appropriate in the context of the site despite the concerns raised in respect of sunlight.

The Committee heard that no consultation had been undertaken with the Parish Council in respect of what was required for a Community Hall, however the developers agent confirmed that it was proposed that a 9 month period be agreed to allow for that process to be undertaken.

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

Members of the Committee recognised that the site was constrained by numerous issues and expressed some concern about the sustainability of the site in lieu of the viability assessment, however it was recognised that the developer had sought to provide for a community facility to replace the public house.

It was further commented that a requirement should be placed on the current owner of the land to ensure that covenants are cleared to avoid any liability on the part of the Council.

Members of the Committee also expressed concern that the Community Hall did not have the support of the Parish Council as there was a risk that it would incur financial liabilities if the facility was not adequate to support the various groups that might ordinarily be expected to use it and thereby generate an income.

Councillor A Geary told the Committee that he wished to commend the Ward Councillors for the work they have undertaken in seeking to find a resolution to the situation between the developer's and residents. He further commented that he recognised the issues in respect of affordable housing, but that the viability assessment supported the developer's stance, and simply put the Committee had to decide between the provision of one affordable unit and a community hall. He asked that the Committee also note that it was proposed to allow a period of 9 months to negotiate an agreed design for the community hall.

The Senior Planning Officer confirmed that amendments had been made to the scheme to take account of many of the comments of the Urban Design Officer's and that this had not been made clear in the report.

The Committee also heard that in his view the Senior Planning Officer considered that the density was in keeping with the area.

The Head of Development Management told the Committee that the recommendation being put to the Committee was in response to the reason for deferral when the matter was last at committee to seek to negotiate the community hall that was acceptable to the Parish Council. The key changes that had been negotiated with the developer were that the land would be transferred for free to the Parish Council and an added condition to enter negotiation with the applicant within a nine month period to formulate a design that is acceptable to all parties, this being a design capped by the £208k. If that fails there remains a backup clause which allows for the Parish Council to take free ownership of the land and receive a sum of £208k which it would be able to use as it saw fit to provide the community facility it wanted.

The Committee also heard that Policy H7 was engaged in the case of this application the site being a Brown Field site and therefore capable of being redeveloped.

The Committee further heard that the applicant was accepting a 13% profit margin rather than the industry standard 20% to allow for the scheme to be delivered and to include the community facility, there remained a risk that if the application was refused but later allowed on appeal, there was no guarantee that the financial concessions would be required and the facility could be lost altogether.

The Head of Development Management advised that the reference to a plan condition in the recommendation was to allow for the addition of a condition to enable the submission of revised plans for the community hall.

Councillor Brackenbury left the meeting due to personal circumstances.

On being put to the vote the proposal to grant the application subject to the conditions set out in Section 6 of the DCC report, a plan condition, a recording condition as detailed in the Update Paper, and a Section 106 Legal Agreement to secure the provision of the community hall building and associated parking or a financial contribution of £208,000 and transfer of land in lieu of the provision of the community hall with detail of the Section 106 Legal Agreement to be agreed with the Chair and Vice Chair

RESOLVED –

That planning permission be granted subject to the conditions as set out in Section 6 of the DCC report, a plan condition, a recording condition as detailed in the Update Paper, and a Section 106 Legal Agreement to secure the provision of the community hall building and associated parking or a financial contribution of £208,000 and transfer of land in lieu of the provision of the community hall with detail of the Section 106 Legal Agreement to be agreed with the Chair and Vice Chair

CONSTRUCTION OF A NEW TEACHING BLOCK WITH ASSOCIATED ADDITIONAL STAFF AND DROP-OFF CAR PARKING AT ORCHARD ACADEMY, SPRINGFIELD BOULEVARD, SPRINGFIELD FOR MILTON KEYNES COUNCIL

The Senior Planning Officer introduced the application with a presentation. The Committee heard that additional representations had been received following publication of the agenda which had been detailed in the published update report.

The Committee heard from objectors who raised concerns in respect of the traffic congestion caused by both drop off and collection and the staff parking arrangements.

Concern was expressed in respect of road safety which was poor and would be exacerbated by the increased level in traffic movement. There also remained concern about the parking provision which included tandem parking. It was suggested that there were viable alternative options that could be explored and it was requested that the Committee defer the determination of the application to allow a travel plan to be developed in advance of approval of planning permission, and alternative parking arrangements be considered, particularly looking to use a reserved site at the front of the site.

The applicant's agent confirmed that extensive examination of the traffic issues had been undertaken and that the site was highly sustainable in transport connection terms. It was contested that the school expansion would provide for improved parking arrangements both on and off site through the provision of additional parking bays. It was further commented that analysis suggested that although there would be an increase in the number of trips many of these would be by sustainable means rather than vehicular.

The Highways Engineer confirmed that tandem parking was proposed this was not the Councils preferred option but was, in the circumstances, considered acceptable.

It was further confirmed that the parking

standards were met with a slight over-provision of spaces.

The Senior Planning Officer confirmed that the recommendation remained to grant the application subject to the conditions as detailed in the Committee report.

Councillor a Geary proposed that the Officer recommendation be agreed, this was seconded by Councillor McLean.

It was commented that a 60% increase in pupil numbers was likely to see more than a 60% increase in traffic movement as new pupils were likely to come from further afield, there was also a concern that tandem parking could lead to staff opting to park in school drop off spaces.

It was further recognised that spaces identified as new that were presently listed as curbside spaces would in reality already be in use and therefore whilst newly introduced into the calculations were in reality already occupied.

Members of the Committee further commented that the lack of a completed travel plan made determination of the application problematical.

The Chair reminded the Committee that it was only whether a problem would be exacerbated that the Committee could consider not any existing problem and further supported the notion that the lack of a completed travel plan did not make that clear.

Councillor Bint proposed that an additional condition be added to require a parking plan to be provided in addition to the travel plan, this was seconded by Councillor Miles, the Chair having moved the substantive motion accepted the amendment.

On being put to the vote the proposal to grant the application, subject to the conditions as detailed in the Committee report together with the additional condition in respect of a parking plan was lost.

Councillor Bint proposed that determination of the application be deferred to for additional work to be done to consider and report back on the options available to address concerns raised by objectors and deliver a completed travel plan.

This was seconded by Councillor A Geary.

On being put to the vote the proposal to defer determination of the application to was carried unanimously, and it was;

RESOLVED –

That determination of the application be deferred to allow for additional work to be done to consider and report back on the options available to address concerns raised by objectors and deliver a completed travel plan.

16/02904/FUL

DEMOLITION OF ONE DWELLING AND ERECTION OF TEN FLATS AT 2 WESTBURY LANE, NEWPORT PAGNELL, FOR SIGNATURE HOMES MILTON KEYNES

The Senior Planning Officer introduced the application with a presentation. The Committee heard that representations had been received following publication of the agenda which have been published in the update report.

A Site Inspection had been undertaken attended by Councillors A Geary, Eastman, Petchey and Green.

An additional condition was proposed, to read;

‘The windows in the first and second floor on the north west elevation facing towards No.4 Westbury Lane and the south east elevation facing towards No.2A Westbury Lane 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 finished floor level. These windows shall not be altered to clear glazing or another opening method thereafter without the prior written consent of the Local Planning Authority.

Reason: To safeguard the amenity and privacy of the adjoining residential occupiers, in the interests of saved policy D1(iii) of the Milton Keynes Local Plan 2001-2011’

The Committee heard that the recommendation remained to grant the application subject to the conditions as detailed in the Committee report together with the additional condition as detailed above.

The Committee heard representations from

Objectors who raised the following concerns;

- The site would better serve a development of small bungalows which would be more in keeping with the area.
- The proposed structures are large and would overpower the bungalows immediately adjacent to the site.
- The bedrooms at the rear of the adjacent bungalows will be affected by noise and light from the proposed siting of the bin store and car parking areas.
- There is insufficient amenity space for washing lines and children's play areas.
- 18 parking spaces is not sufficient and will encourage parking on Westbury Lane.
- The proposals are in contravention of policies D1 impact on neighbouring properties, policy D2 design of the buildings, policy T10 traffic and highway safety and policy H7, housing on unidentified sites.

The Applicant's agent told the Committee that the principle of redeveloping the site was in accordance with policy. It was further commented that the Highways Officer had raised no concerns in respect of Highway Safety and the scheme was designed to respect neighbouring properties having been set apart from them and did fit the street scene which had a mix of housing styles.

Councillor A Geary proposed that the Officer recommendation to approve the application, subject to the conditions as detailed in the Committee report and the additional condition as detailed above be agreed, this was seconded by Councillor McLean.

Councillor A Geary stated that he did not believe that the proposed development fitted in with the street scene and could not support the application in its current form.

On being put to the vote the proposal to grant the application subject to the conditions as detailed in the Committee report and the additional condition as detailed above was carried, and it was;

RESOLVED –

That planning permission be granted subject to the conditions as detailed in the Committee report and the additional condition as detailed above.

16/02105/FUL

ERECTION OF BLUE LIGHT HUB EMERGENCY SERVICES FACILITY INCLUDING ACCESS, EMERGENCY EXIT AND LANDSCAPING AT LAND TO NW OF, THORNBURY, WEST ASHLAND FOR BUCKINGHAMSHIRE FIRE AND RESCUE SERVICE

The Senior Planning Officer told the Committee that following the determination of the application by the Committee the application was being returned to DCC for consideration of an amendment to the previously stated financial contributions as set out in the Committee report. In order to facilitate this the Committee was requested to rescind the previous decision and consider the amended application.

The Senior Planning Officer confirmed that the recommendation remained to grant the application as amended.

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

It was noted that the building was considered to be an exemplary example of a Carbon Neutral Building and therefore the Carbon levy did seem inappropriate in this instance.

The Committee expressed some concern that the information in respect of what the contribution would be was fully available when the application was originally considered and opportunity had been available to make comment at that time, which did not happen, the proposal had a risk associated of setting a precedent.

It was further commented that as the proposed amendments were to free money to provide for a fire engine which was in the interests of public safety the circumstances could be considered

exceptional.

It was however commented that having made the case for the removal of contributions for Public Art and Carbon Offset, the contribution proposed for parking restriction and traffic control was justified.

Councillor C Wilson proposed that the full contribution to Carbon Offset be required, the proposal failed to find a seconder.

Councillor Petchey proposed that the full contribution to public art be required, Councillor C Wilson seconded the proposal which on being put to the vote was lost.

On being put to the vote the proposal to grant the application to accept the revised contributions as detailed in the Committee report was carried.

On being put to the vote the proposal to the previous decision of the Committee was carried, and it was;

RESOLVED

1. That planning permission be granted subject to the conditions set out at the end of the Committee report and subject to the completion of a new s106 agreement to secure a fixed sum contributions for the implementation of parking restrictions as stated in Section 5.4 of the report.
2. That the previous decision of the Committee be rescinded.

THE CHAIR CLOSED THE MEETING AT 11:09 PM