



**Minutes of the meeting of the DEVELOPMENT CONTROL PANEL held on THURSDAY 25 APRIL 2013 at 2:00 pm.**

**Present:** Councillor White (Chair)  
Councillors: Eastman, Hawthorn and Legg

**Officers:** A Horner (Head of Development Management), A Harrison S Dossaji (Planning Officer), C Lycett (Planning Officer), C Megson (Planning Officer), A Ash (Engineer - Highways Development Management), S Bridglalsingh (Principal Solicitor) and D Imbimbo (Committee Manager).

**Number of Public Present:** 3

**DCP27 DECLARATION OF INTEREST**

Councillor Hawthorn stated that he had a predetermined position and would be speaking in objection to application 13/00336/FUL and would therefore take no part in consideration of that application.

**DCP28 REPRESENTATIONS ON PLANNING APPLICATIONS**

Councillor Bramall spoke in objection to application 13/00287/FUL, Single storey side extension (retrospective) and first floor rear extension (resubmission of 12/02341/FUL) at 5 Beechfern, Walnut Tree, Milton Keynes

The applicants agent declined to exercise the right of reply

Councillor Hawthorn spoke in objection to application 13/00336/FUL, Change of use from amenity land to garden and erection of 1.8m close boarded fence (resubmission of 12/01949/FUL) at 35 Thorncliffe, Two Mile Ash, Milton Keynes

The Applicant, Mr N Heffer-Rahn exercised the right of reply.

**DCP29 APPLICATIONS**

**13/00287/FUL**

**SINGLE STOREY SIDE EXTENSION (RETROSPECTIVE) AND FIRST FLOOR REAR EXTENSION (RESUBMISSION OF 12/02341/FUL) AT 5 BEECHFERN, WALNUT TREE, MILTON KEYNES FOR MR AND MRS J DAVIES**

The Officer reported that there was no update on his report and that his recommendation remained that the application be granted.

The Panel heard representations in objection to the application from the Ward Member on behalf of local residents who were concerned that the proposal would see an overdevelopment of the site and that the two storey development of a bay window would see significant overlooking of the neighbours rear garden and was too close to the boundary. The Panel was urged to consider a condition to have obscured glazing fitted should the application be approved.

Councillor White proposed a motion in support of the Officers recommendation, this was seconded by Councillor Legg.

Members heard that whilst a previous application had been rejected due to a concern that the site would be overdeveloped, this application was seen as acceptable on its merits and that other extensions could be made under permitted development rights and had therefore not been considered in making the decision to recommend this application for approval. Members expressed concern that the proposed development would still represent an overdevelopment of the site when taken as a whole.

On being put to the vote the motion was declared lost

Councillor White proposed that the application be refused as by virtue of its size, scale and cumulative impact, the proposed development would be unacceptable. The work would represent a large and dominant structure which could constitute overdevelopment of the site and would have a detrimental impact upon the character of the area. The application would therefore be contrary to the advice within the National Planning Policy Framework and Policies D1 and D2 of the Milton Keynes Local Plan 2001-2011, and that;

The first storey side extension, by reason of its proximity to the side boundary of the site and first floor side facing bay window, would be likely to give rise to overlooking and consequent loss of privacy to the rear garden of No. 4 Rosemary Court, to the detriment of the amenity of the

neighbouring occupiers and as a result the proposal is contrary to policy D1 of the Milton Keynes Local Plan 2001 - 2011. – 2011. This was seconded by Councillor Legg.

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

RESOLVED –

That planning permission be refused for the reasons set out above.

**13/00336/FUL**

**CHANGE OF USE FROM AMENITY LAND TO GARDEN AND ERECTION OF 1.8M CLOSE BOARDED FENCE (RESUBMISSION OF 12/01949/FUL) AT 35 THORNCLIFFE, TWO MILE ASH, MILTON KEYNES FOR MR AND MRS N HEFFER RAHN**

Councillor Hawthorn stepped down from the Panel for this Item

The Officer reported that his recommendation remained that the application be refused for the reasons stated in the report.

The Panel heard from the Ward Member that he was the Chairman of the Parish Council and that 9 local residents had approached him expressing concern that the proposal represented an inappropriate fencing off of amenity land and would present a hazard by reducing visibility for vehicles emerging from the side road. Residents had expressed concern that approval of this would set a precedent and could see similar applications to the detriment of the amenity of the area.

The Panel heard from the applicant that the proposed fencing was of a similar height and design to that on a property directly opposite the application site that had been erected in 1987 and had not been challenged. The Panel heard that photographs presented misrepresented the proposal.

Councillor White proposed a motion in support of the Officers recommendations this was seconded by Councillor Legg.

Members recognised that approval could set a precedent but that this ought not to preclude consideration of this application on its own merits.

Members heard from the Highways Engineer that should the development be permitted there would remain a 4.5 metres minimum splay.

On being put to the vote the proposal to refuse the application was lost.

Councillor White proposed that the application be permitted subject to the following conditions;

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 51 of the Planning and Compulsory Purchase Act 2004. (D11)

2. A landscaping scheme, which shall include provision for the planting of trees and shrubs, shall be submitted to and approved by the Local Planning Authority before any part of the development is commenced. The scheme shall show the numbers, types and sizes of trees and shrubs to be planted and their location in relation to proposed buildings, roads, footpaths and drains. All planting in accordance with the scheme shall be carried out within twelve months of commencement of development. Any trees or shrubs removed, dying, severely damaged or diseased within two years of planting shall be replaced in the next planting season with trees or shrubs of such size and species as may be agreed by the Local Planning Authority. (L01)

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area.

3. A visibility splay of 4.5 metres by 43.0 metres at a minimum height of 600mm from ground level will be maintained at all times at the junction of High Street and Thorncliffe.

Reason: To ensure adequate visibility splays are maintained in the interest of highway safety and convenience

12/02171/FUL

**CHANGE OF USE OF GROUND FLOOR FROM BUTCHER'S SHOP (USE CLASS A1) TO HOT FOOD TAKEAWAY (USE CLASS A5) AT 1A HIGH STREET, WOBURN SANDS, MILTON KEYNES FOR MR ABUL KASHEM**

The Officer reported that determination of the application had been deferred from the previous meeting of the Panel to allow a site inspection to be undertaken following a request from the Ward Member who held concerns that the use of the car parking area adjacent to the property would create an additional hazard at a busy junction.

The Officer reported that the site inspection had been undertaken and had been attended by Councillor Hawthorn.

Councillor White proposed a motion in support of the Officers recommendations this was seconded by Councillor Legg.

The Panel heard that following the site inspection Councillor Hawthorn shared the concerns expressed by the Ward Member that there was potential for problems associated with frequent vehicle emergence from the car parking area.

The Panel heard from the Highway Engineer that the proposal to use the parking area was better than having no facility and that whilst not ideal was the most effective solution. Members recognised that there were other car parking facilities available in the vicinity.

On being put to the vote the motion to support the officers recommendation was declared carried and it was;

RESOLVED –

That planning permission be granted subject to the conditions set out in the Panel report.

13/00236/FUL

**ERECTION OF A SINGLE STOREY REAR EXTENSION AND PART GARAGE CONVERSION - RESUBMISSION OF 12/01820/FUL AT 84 CENTURY AVENUE, OLDBROOK, MILTON KEYNES FOR MRS M M A IBRAHIM**

The Officer reported that there was no update on his report and that his recommendation remained

that the application be granted.

Councillor White proposed a motion in support of the Officers recommendations this was seconded by Councillor Legg.

On being put to the vote the motion was declared carried and it was;

RESOLVED –

That planning permission be granted subject to the conditions set out in the Panel report.

**12/02722/FUL**

**RE-ALIGNMENT OF 'RIGHT OF WAY' FOR ERECTION OF SINGLE STOREY REAR EXTENSION (RETROSPECTIVE) AT 9 VICTORIA ROAD, FENNY STRATFORD, MILTON KEYNES FOR MR MICHAEL MORGAN**

The Officer reported that there was no update on his report and that his recommendation remained that the application be granted.

Councillor White proposed a motion in support of the Officers recommendations this was seconded by Councillor Legg.

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

RESOLVED –

That planning permission be granted subject to the conditions set out in the Panel report

**13/00147/FUL**

**CONVERSION OF DOMESTIC INTEGRAL GARAGE TO KITCHEN AND SHOWER ROOM (RE-SUBMISSION OF 12/01266/FUL) (RETROSPECTIVE) AT 131 OLDBROOK BOULEVARD, OLDBROOK, MILTON KEYNES FOR MR A GALAYA**

The Officer reported that there was no update on his report and that his recommendation remained that the application be granted.

Councillor White proposed a motion in support of the Officers recommendations this was seconded by Councillor Legg.

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

RESOLVED –

That planning permission be granted subject to the

conditions set out in the Panel report.

**13/00138/FUL**

**SINGLE STOREY REAR EXTENSION AND CHIMNEY AT 14 HADRIANS DRIVE, BANCROFT, MILTON KEYNES FOR MISS T SHAW**

The Officer reported that Stantonbury Parish Council had withdrawn their objections to the application and that her recommendation remained that the application be granted.

Councillor White proposed a motion in support of the Officers recommendations this was seconded by Councillor Legg.

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

RESOLVED –

That planning permission be granted subject to the conditions set out in the Panel report.

**13/00117/FUL**

**ERECTION OF 2 X SHEDS FOR STORAGE OF GARDEN EQUIPMENT AND FURNITURE INCLUDING REPLACEMENT OF 1X EXISTING SHED AT CHURCH OF ST MARY AND ST GILES, HIGH STREET, STONY STRATFORD FOR ST MARY AND ST GILES CHURCH**

The Officer reported that there was no update on his report and that his recommendation remained that the application be granted.

Councillor White proposed a motion in support of the Officers recommendations this was seconded by Councillor Legg.

On being put to the vote the motion was declared carried and it was;

RESOLVED –

That planning permission be granted subject to the conditions set out in the Panel report.

**12/02178/FUL**

**SINGLE STOREY EXTENSION TO FRONT AND SIDE OF PROPERTY AT 46 LULLINGSTONE DRIVE, BANCROFT PARK, MILTON KEYNES FOR MR MATTHEW ELPHICK**

The Officer reported that Stantonbury Parish Council had withdrawn their objections to the application and that her recommendation remained that the application be granted.

Councillor White proposed a motion in support of the Officers recommendations this was seconded by Councillor Legg.

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

RESOLVED –

That planning permission be granted subject to the conditions set out in the Panel report.

THE CHAIR CLOSED THE MEETING AT 3:45 PM