

Minutes of the meeting of the **DEVELOPMENT CONTROL COMMITTEE** held on **THURSDAY 23 APRIL 2020** at 7.00 pm.

Present: Councillor Bint (Chair)
Councillors Alexander, Baines, Brackenbury, Brown, Exon, A Geary, Legg, McLean and Petchey.

Officers: T Darke (Director, Growth, Economy and Culture), J Palmer (Head of Planning), L Peacock (Senior Planning Officer), N Roy (Principal Solicitor) and D Imbimbo (Committee Manager)

Apologies: Councillor Wallis.

Also Present: Councillor Hosking.

DCC79 INTRODUCTIONS AND WELCOME

The Chair welcomed members of the public and councillors to the meeting and explained that the meeting was held remotely and would be broadcast live on YouTube he further explained the procedures to be adopted.

DCC80 MINUTES OF PREVIOUS MEETING

RESOLVED -

That the Minutes of the meeting of the Development Control Committee held on 5 March 2020 and the meetings of the Development Control Panel held on 23 January 2020 and 27 February 2020 be agreed and signed by the Chair as correct records subject to;

Minute DCC76 the number 19/01818/out being amended to read 19/02804/OUT and the resolution in DCC77 being amended to read, 'That the comments be considered by the Design and Special Projects Manager and amendments made to the Development'.

DCC81 DECLARATION OF INTERESTS

Councillor McLean asked that it be noted that he lived in close proximity to the site of application 19/03142/FUL, he had however not had any involvement in discussions or made any comment in respect of the merits of the application.

Councillor A Geary asked that it be noted that in respect of application 19/03142/FUL his son played Rugby with a member of the applicant and objectors extended family, he had however not had any discussion in respect of the application with any parties.

DCC82 PUBLIC PARTICIPATION

No public questions had been received.

DCC83

REPRESENTATIONS ON APPLICATIONS

Mr A McGrandle, Ms S Soul and Councillor Hosking (Ward Councillor), spoke in objection to application 19/03142/FUL, Retrospective planning permission the rebuild of a previously demolished barn, its extension and conversion into a two bedroom residential dwelling at Mounts House, West Lane, Emberton, Olney.

The Applicant Dr. D Soul exercised the right of reply.

DCC84

PLANNING APPLICATIONS

19/03142/FUL RETROSPECTIVE PLANNING PERMISSION THE REBUILD OF A PREVIOUSLY DEMOLISHED BARN, ITS EXTENSION AND CONVERSION INTO A TWO BEDROOM RESIDENTIAL DWELLING AT MOUNTS HOUSE, WEST LANE, EMBERTON, OLNEY FOR MR & DR DAVID JC AND DIANE SOUL.

The Director, Growth, Economy and Culture and Senior Planning Officer introduced the application with a presentation.

The Director, Growth, Economy and Culture explained the relevance of ongoing enforcement action in respect of the premises and what matters should or should not be taken into account when determining the application.

The Senior Planning Officer confirmed that the recommendation remained to grant the application subject to the conditions as detailed in the committee report with the following amendment to condition 6.

‘No building shall be occupied until details of a scheme for the provision of electric vehicles charging points for the proposed dwelling are submitted to and approved in writing by the local planning authority’.

Reason: To accord with Policy CT6 of Plan:MK (2019).’

The Committee heard from objectors who repeated concerns expressed in the published update papers in respect of both procedural and development matters.

Councillor Hosking stated that he was concerned that the Conservation Officer had not visited the site and did not therefore believe that the Committee could satisfy itself that his comments at the last paragraph of section A1.7 of the Committee report had been fulfilled; 'Subject to a visit to inspect the rebuilt barn, rather than the implementation of conditions of permission as should have been the case, I raise no objections on grounds of detail. Once a visit has been made I will email you any further points of discussion/ confirmation of no conservation objections', and therefore he asked that the Committee defer determination of the application to allow the Conservation Officer to visit and confirm his satisfaction with the build in conservation terms.

The Applicant reiterated comments made in the written submission published within the update papers.

Councillor Bint, seconded by Councillor Exon, moved the Officer recommendation for debate.

Councillor Exon stated that he did not believe that further information was required in respect of the enforcement action, he stated that he recognised that the demolition had been conducted on the grounds of Health and Safety when the approved removal of the roof had left the building unstable, he further commented that any enforcement action was likely to require the rebuild of the property using the original materials and as this was what had been done it was not appropriate to require demolition only to repeat the exercise of a rebuild. Councillors Baines, Brackenbury and Legg shared those views.

Councillor A Geary expressed concern in respect the lack of a final approval by the Conservation Officer and suggested that the determination should be deferred, however, he proposed an amendment to the motion in the terms that the Decision to grant the Application be delegated to the Director, Growth, Economy and Culture, in consultation with the Chair and Vice Chairs, upon a report from the Conservation Officer stating that he was satisfied with the development in conservation terms, this was seconded by Councillor McLean.

On being put to the vote the amendment was carried with Councillors Alexander, Baines, Bint, A Geary and McLean voting in favour, and Councillors Exon, Legg and Petchey voting against and Councillors Brackenbury and Brown abstaining from the vote.

On being put to the vote the motion to delegate the authority to grant the application, as detailed above, was carried with Councillors Alexander, Baines, Bint, Brackenbury, Brown, Exon, A Geary and Legg voting in favour and Councillors McLean and Petchey abstaining from the vote.

Councillor A Geary, repeating concerns in respect of the Enforcement action asked that Chair ask the Director, Growth, Economy and Culture provide a full report detailing the timeline of actions of the Enforcement activity for the Committee at the earliest opportunity.

RESOLVED –

1. That the Decision to grant the Application be delegated to the Director, Growth, Economy and Culture, in consultation with the Chair and Vice Chairs, upon a report from the Conservation Officer stating that he was satisfied with the development in conservation terms.

2. That the Committee noted the Chair's undertaking to request officer colleagues to provide a full report setting out the timeline and detail of enforcement action in respect of the development.

20/00451/FUL

SINGLE STOREY SIDE EXTENSION, GARAGE CONVERSION & INTERNAL ALTERATIONS AT 52 ERIDGE GREEN, KENTS HILL, MILTON KEYNES FOR MR & MRS TAPPING.

The Director, Growth, Economy and Culture introduced the application and told the Committee that there was no update on the Committee report and confirmed that the recommendation remained to grant the application, subject to the conditions as detailed in the Committee report.

The Committee heard that the application had been 'called in' by the Parish Council as concerns were held that the extension would be used as a separate dwelling, it was confirmed that this was not the case and in any event were it proposed to be used for that purpose separate permission would be required.

Councillor Bint proposed that the Officer recommendation be moved for the purpose of debate, this was seconded by Councillor Brown.

Members of the Committee expressed disappointment that the Parish Council had not attended the meeting to express its concerns.

On being put to the vote the proposal to grant the application was carried unanimously.

RESOLVED –

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

DCC85

CONFIRMATION OF TREE PRESERVATION ORDER PS/540/15/425

The Committee considered a report in respect of a Temporary Tree Preservation Order PS/540/15/425 in respect of an oak tree at 2 Irving Dale, Old Farm Park.

The Committee heard that there was a concern that the tree may be felled as it was situated in a private garden and the canopy also extended over other properties. The Tree was possible in excess of 100 years old and in good health, there is photographic evidence dating from the 1940's and is shown on maps from that era.

It was confirmed that it had been intended to make the order permanent however an objection had been received which was why the matter was before the Committee. The recommendation remained to confirm the Tree Preservation Order.

Councillor Brackenbury stated that he did not believe it was appropriate to interfere in respect of what could or could not be in someone's private garden, however other members of the Committee expressed a view that the tree in question was a fine example of an old English oak and should be preserved. Councillor A Geary stated that as a farmer he was well aware of the number of such trees that were being lost due to age and damage caused by lightening etc. The tree had been in situ when the property was built and purchased and therefore a landowner should not be surprised that it was likely to be protected.

Councillor Bint proposed that the officer recommendation to confirm the Tree Preservation Order be agreed, this was seconded by Councillor Exon.

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

RESOLVED

That Tree Preservation Order PS/540/15/425 be confirmed.

THE CHAIR CLOSED THE MEETING AT 21:05 PM

CHAIR'S SIGNATURE.....