

Minutes of the meeting of the DEVELOPMENT CONTROL PANEL held on THURSDAY 19 JANUARY 2017 at 7:00 pm.

Present: Councillor: A Geary (Chair)
Councillors: Bint, Eastman, Legg and P Williams

Officers: D Kirk (Development Management Manager), L Gledhill (Planning Officer), P Keen (Senior Planning Officer), J Lee (Senior Planning Officer), M Pearce (Planning Officer), J Spurrell (Planning Officer), S Taylor (Planning Officer), P Goff (Enforcement Officer), E Kampaite (Planning Solicitor), J Price - Jones (Planning Solicitor) and D Imbimbo (Committee Manager).

Number of Public Present: 50

Also Present: Councillors Dransfield and Middleton

DCP28 WELCOME AND INTRODUCTIONS

The Chair welcomed Councillors, Officer Colleagues and the Public to the meeting and explained the procedures to be adopted.

DCP29 DECLARATIONS OF INTEREST

Councillor P Williams asked that it be noted that in respect of Application 7 – 16/02345/FUL he had taken part in discussion in respect of a previous identical application and held a pre-determined view and would therefore step down from the Panel during consideration of this item and would take no part in the determination of the application.

Councillor Bint asked that it be noted that in respect of Application 5 – 16/02611/FUL he knew the applicant in a personal capacity and would therefore step down from the Panel during consideration of this item and would take no part in the determination of the application.

DCP30 REPRESENTATIONS ON APPLICATIONS

Ms A Kavanagh and Councillor Allsopp (Stony Stratford Parish Council) spoke in objection to application 16/02346/FUL Single storey side and rear extension and raised platform to rear at 3 Clarence Road, Stony Stratford, Milton Keynes

Mr M Brown, (Applicant), exercised the right of reply.

Ms L Harvey-Bain, Mr S Kirkman (Residents Association), Councillor Sargent (Loughton and Great Holm Parish Council) and Councillor

Dransfield (Ward Councillor) spoke in objection to application 16/01821/FUL Regularisation of alterations to dwelling previously approved under planning permission reference 12/01141/FUL (Part Retrospective) at 6 Weldon Rise, Loughton, Milton Keynes

Mr P Watson (Applicant's Agent) and Mrs Gerra, (Applicant), exercised the right of reply.

Mrs Welch spoke in objection to application 16/02611/FUL Construction of new dwelling at 21 Lennox Road, Bletchley, Milton Keynes

Mrs M R Burke, (Applicant), exercised the right of reply

Councillor Baines (Campbell Park Parish Council spoke in objection to application 16/03157/FUL Two storey rear extension (resubmission 16/00907/FUL) at 62 Belsize Avenue, Springfield, Milton Keynes

The applicant declined the right of reply

Ms S Gorman and Councillor Middleton (Ward Councillor) spoke in objection to application 16/01734/FUL Change of use from residential dwelling (use class C3) to house in multiple occupancy (use class C4) with 5 lettable rooms (part-retrospective) at 4 Herdman Close, Greenleys, Milton Keynes

Mr D Murphy (Applicant's Agent) and Mr R Kazemi, (Applicant), exercised the right of reply.

Councillor K Geaney (Shenley Brook End Parish Council) spoke in objection to application 16/03308/FUL Part two storey, part single storey rear extension and loft conversion with front and rear roof-lights and new windows installed in each elevation following the approval of application 15/02540/FUL at 135 Lynmouth Crescent, Furzton, Milton Keynes

Mr M Lopez, (Applicant), exercised the right of reply

DCP31

APPLICATIONS

16/02346/FUL SINGLE STOREY SIDE AND REAR EXTENSION AND RAISED PLATFORM TO REAR AT 3 CLARENCE ROAD, STONY STRATFORD, MILTON KEYNES FOR MR MARTIN BROWN

The Planning Officer introduced the application with a presentation. It was noted that a Site Inspection had been undertaken on Monday 16 January which had been attended by Councillor A Geary. It was further noted that an update report has been published which addressed matters raised after publication of the agenda. The Officer told the Panel that two sections of the proposed development could be carried out without planning permission under Permitted Development Rights, however it was the scheme as a whole that the Panel was required to assess.

The Panel heard that the recommendation remained to grant the application subject to the

conditions as detailed in the Panel report.

The Committee heard representations from objectors who raised the following concerns;

- The size of the extension and impact on neighbouring properties.
- The height of the proposed development accentuated by the sloping nature of the site.
- The Parish Council does not believe that the proposed extension complies with Saved Policies D1 and D2 of the Local Plan.
- Overshadowing
- Loss of light for adjacent properties.
- Scale and massing.
- The proposal will result in something not in keeping with the aesthetics of the area.
- Overdevelopment of the site.

The Applicant told the Panel that the Council Planning officers have made no objection at either pre-application or post application stages. The applicant asked that the Members of the Panel note the various planning officer comments within the report that addressed the concerns raised by objectors. It was further commented that the applicant did not accept the view that the proposed extension amounted to overdevelopment as there remained adequate garden on the site.

Councillor A Geary proposed that the officer recommendation be agreed this was seconded by Councillor Legg.

Councillor A Geary told the Panel that having attended the Site Inspection he formed the view that the section of the extension that would cause the most harm to the neighbouring property at number 5 was that which could be undertaken under Permitted Development Rights, taking account of the need to assess the application as a whole, he held a concern that there would be significant loss of light, and possibly loss of privacy, to number 5 Clarence Road.

Councillor A Geary confirmed that he recognised

that the extension being at the rear and looking out onto an alley did not therefore have an impact on the street scene despite there being no other extensions on the same scale in the vicinity.

Members of the Panel shared the concerns raised but recognised that the part of the extension that was most likely to have a negative impact on the neighbouring property was that which could be built without planning permission.

The Planning Officer confirmed that the application had to be considered as a whole and not solely the section that could not be constructed under permitted development. The Planning Officer further confirmed that there was no definition of 'over development' which was a subjective matter for the members of the Panel to consider in the context of the site.

On being put to the vote the proposal to grant the application subject to the conditions as detailed in the Panel report was carried with two members of the Panel voting in favour, one against and two abstaining, and it was;

RESOLVED –

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

16/01821/FUL

REGULARISATION OF ALTERATIONS TO DWELLING PREVIOUSLY APPROVED UNDER PLANNING PERMISSION REFERENCE 12/01141/FUL (PART RETROSPECTIVE) AT 6 WELDON RISE, LOUGHTON, MILTON KEYNES FOR MR & MRS GERRA

The Senior Planning Officer introduced the application with a presentation. It was noted that a Site Inspection had been undertaken on Monday 16 January which had been attended by Councillor A Geary. It was further noted that an update report has been published which addressed matters raised after publication of the agenda.

The Officer gave an explanation of the history of the application.

The Panel heard from objectors who reiterated matters raised during the consultation process, the Panel heard that the objector was willing to enter negotiation with the applicant to try to find an acceptable solution to concerns held. The representative of the Parish Council stated that they were willing to host a meeting between interested

parties, this was supported by the Ward Councillor.

Following clarification with the applicant and her agent it was proposed by Councillor A Geary that determination of the application be deferred to allow for a meeting to be arranged to address concerns and attempt to reach a mutually acceptable outcome that may be submitted as amendments to the application, and that the outcomes be reported to the Panel on 16 March 2017 when the application be determined. This was seconded by Councillor Legg.

It was noted that it would be necessary to arrange the meeting to be attended by the Applicant and their agent, the objector, The Ward Councillor, The Development Management Manager and the Senior Planning Officer, together with any other relevant parties, and in the presence of the Parish Council's Planning Committee and the meeting to be recorded by the Parish Clerk.

It was confirmed by the applicant's agent that if the meeting was conducted expeditiously, and the timescales adhered to as much as possible, the applicant would not seek to take the matter to appeal for non-determination.

On being put to the vote the motion to defer the determination of the application to allow negotiation to be undertaken between the relevant parties was carried unanimously

RESOLVED –

That the application be deferred until the meeting of the Development Control Panel scheduled for 16 March 2016.

Councillor A Geary stepped down from the Chair to attend to a personal matter. Councillor Legg (Vice Chair) took the Chair.

16/02308/FUL

PROPOSED SINGLE STOREY CARPORT CONVERSION AND INCREASE IN HARDSTANDING TO FRONT AT 7 POYNING LANE, MIDDLETON, MILTON KEYNES FOR MR AND MRS OBEROI.

The Planning Officer introduced the application with a presentation.

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

Councillor Legg proposed that the officer

recommendation be agreed this was seconded by Councillor Eastman.

On being put to the vote the proposal to grant the application subject to the conditions detailed in the Panel report was carried unanimously and it was;

RESOLVED –

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

16/03081/FUL

LOFT CONVERSION INCLUDING 3X PITCHED ROOF DORMERS AND ROOF LIGHT TO FRONT ROOF SLOPE AND ROOF LIGHTS TO REAR ROOF SLOPE AT 46 RANDALL DRIVE, OXLEY PARK, MILTON KEYNES FOR MR CULLEN

The Planning Officer introduced the application with a presentation.

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

Members of the Panel expressed a view that the proposal was likely to result in on-street parking contrary to the view expressed within the Panel report, however it was noted that the Parking Standard had been met and the proposal was therefore policy compliant

Councillor Legg proposed that the officer recommendation be agreed this was seconded by Councillor Eastman.

On being put to the vote the proposal to grant the application subject to the conditions detailed in the Panel report was carried unanimously and it was;

RESOLVED –

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

Councillor A Geary returned to the Panel and resumed in the Chair.

16/02611/FUL

CONSTRUCTION OF NEW DWELLING AT 21 LENNOX ROAD, BLETCHLEY, MILTON KEYNES FOR MRS BURKE.

Councillor Bint having declared a personal interest stepped down from the Panel for consideration of this application.

The Senior Planning Officer introduced the application with a presentation. It was reported that

there was no update on the Panel report and the recommendation remained to grant the application subject to the conditions detailed in the report.

The Committee heard representations from an objector who raised the following concerns;

- The proposal could set a precedent
- There was a risk that the character of the area would be changed if this and similar applications were approved
- The design is out of character with other local properties
- The site would be over-developed
- There would be a risk of parking problems
- There were issues with party walls.
- Wildlife was at risk
- The removal of three trees should not be permitted due to nesting birds
- The Town Council objects to the application

The applicant told the Panel that following the refusal of a previous application the proposal has been redesigned to address concerns expressed by objectors at that time, resulting in a much reduced scale. Significant discussion has taken place with neighbours and amendments have been made to the scheme to accommodate concerns including realignment away from boundaries. Furthermore there are similar sized developments in the vicinity and the design is traditional to fit the street scene. The proposed development has a large garden in its own right. It was commented that the street is controlled by double yellow lines so on-street parking will not be an option.

The Senior Planning Officer told the Panel that Party Wall issues were not a planning consideration and ought not be considered in determining the application.

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

In response to questions from the members of the Panel the Senior Planning Officer confirmed that

'precedent' was not a planning consideration, however nesting birds are protected under legislation but not planning laws unless a protected species.

Members of the Panel noted that there was no condition relating to working hours proposed, however, there remained the default requirements to limit work in accordance with environmental health legislation and it was commented that reference to this ought to form part of the text on the decision notice when issued.

On being put to the vote the proposal to grant planning permission subject to the conditions as detailed in the Panel report was carried unanimously, and it was;

RESOLVED –

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

Councillor Bint returned to the Committee

16/02393/FUL

NEW FOUR BEDROOM DWELLING HOUSE AT PLOTS 6 AND 7 LAND ADJ TO 36, PEARMAIN CLOSE, NEWPORT PAGNELL FOR MR ETHAN KING

The Senior Planning Officer introduced the application with a presentation.

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

Councillor A Geary proposed that the officer recommendation be agreed this was seconded by Councillor Legg.

Councillor Bint expressed concern about the proposed rendering which did not seem to be in keeping with the street scene and proposed that an additional condition be added, 'notwithstanding the surface treatment proposed, the applicant submits to the Planning Authority and have approved, details of alternative materials for rendering that are more in keeping with the street scene' this was seconded by Councillor Eastman.

Councillor A Geary accepted the amendment.

On being put to the vote the proposal to grant the application subject to the conditions as detailed in the Panel report together with the additional condition was carried unanimously and it was;

RESOLVED –

That planning permission be granted subject to the conditions as detailed in the Panel report, together with the additional condition as detailed above.

16/02345/FUL

DEMOLITION OF GARAGE AND ERECTION OF NEW HOUSE AT LAND ADJ TO 11, LAKER COURT, OLDBROOK FOR MR SAM DEVOTI

Councillor P Williams having declared a pre-determined position in respect of the application stood down from the Panel during consideration of this application.

The Planning Officer introduced the application with a presentation.

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

Councillor A Geary proposed that the officer recommendation be agreed this was seconded by Councillor Legg.

On being put to the vote the proposal to grant the application subject to the conditions detailed in the Panel report was carried unanimously and it was;

RESOLVED –

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

Councillor P Williams returned to the Panel.

16/03157/FUL

TWO STOREY REAR EXTENSION (RESUBMISSION 16/00907/FUL) AT 62 BELSIZE AVENUE, SPRINGFIELD, MILTON KEYNES FOR MR AND MRS FERNANDES

The Planning Officer reported that there was no update on the Panel report and that the recommendation remained to grant the application subject to the conditions as detailed in the Panel report.

The Panel heard from the representative of the Parish Council that the Parish Council objected to the application for the following reasons;

- The development represented an over development of the site
- The site had been subject to a series of extensions resulting in a cumulative outcome of an enormous development which was overbearing to neighbouring

properties and contravenes policies D1, D2 and D2(a) of the Milton Keynes Local Plan 2001 - 2011

- The proposal would have a negative impact on the scene from the adjacent canal

The applicant had declined a right of reply.

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

It was noted that policies relating to the canal frontage referred to new development not extensions to existing development and were therefore not relevant in this instance.

The Planning Officer told the Panel that neither the original case officer or she considered the proposal as an over development of the site as it was a large plot.

On being put to the vote the proposal to grant the application subject to the conditions detailed in the Panel report was carried, and it was;

RESOLVED –

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

16/01734/FUL

CHANGE OF USE FROM RESIDENTIAL DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPANCY (USE CLASS C4) WITH 5 LETTABLE ROOMS (PART-RETROSPECTIVE) AT 4 HERDMAN CLOSE, GREENLEYS, MILTON KEYNES FOR MR REZA KAZEMI.

The Planning Officer introduced the application with a presentation. It was reported that since publication of the agenda a request on behalf of the Highways Officers for an additional condition in respect of a dropped curb has been requested, this has been set out in the published supplementary report, there was no further update on the Panel report and the recommendation remained to grant the application subject to the conditions detailed in the report together with the additional condition.

The Committee heard representations from objectors who raised the following concerns;

- The close was a residential area not suitable for a transient population.
- There were two schools in the immediate

vicinity which generated high levels of traffic, the proposal will increase traffic further.

- Allowing the application will see a change in the character of the street and the established community.
- There were too many lettable rooms being proposed.
- There was a likelihood of disturbance due to noise
- The number of occupants could be in excess of two per room resulting in more vehicles.
- The siting of the bin storage area at the front of the property was unsightly and detracted from the street scene.

The applicant's agent told the Panel that the application had been submitted taking account of local policy and in particular saved policy H10 of the Milton Keynes Local Plan 2001 - 2011, The agent further confirmed that it was intended that a noise assessment would be undertaken and necessary mitigation for noise would be put in place, this would be in addition to the conditions proposed by the Environmental Health Officers. Further it was confirmed that the proposed area set aside for parking would be adequate.

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

Members of the Panel acknowledged the concerns raised by the objectors however noted that the proposal was policy compliant and that there were no legitimate reasons to justify a refusal of the application.

The Panel considered issues in respect of fire and smoke alarms but was advised that these were matters that would be considered by the relevant bodies, but were not material considerations in this respect.

On being put to the vote the proposal to grant planning permission subject to the conditions as detailed in the Panel report and additional update report was carried, and it was;

RESOLVED –

That the application be granted subject to the conditions as detailed in the Panel report together with the additional condition as published in the

update paper.

16/02345/FUL

DEMOLITION OF GARAGE AND ERECTION OF NEW HOUSE AT LAND ADJ TO 11, LAKER COURT, OLDBROOK FOR MR SAM DEVOTI

The Planning Officer introduced the application with a presentation.

The Planning Officer told the Panel that a late representation had been received, the matters raised therein had been addressed by the published update report and it was confirmed that the recommendation remained to grant the application subject to the conditions as detailed in the report.

Councillor A Geary proposed that the officer recommendation be agreed this was seconded by Councillor Legg.

On being put to the vote the proposal to grant the application subject to the conditions detailed in the Panel report was carried unanimously and it was;

RESOLVED –

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

16/01521/FUL

ERECTION OF SINGLE STOREY SIDE EXTENSION AND REAR CONSERVATORY AT 27 BESSEMER COURT, BLAKELANDS, MILTON KEYNES FOR MR RAJIVE BHASIN

The Planning Officer introduced the application with a presentation.

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

Councillor A Geary proposed that the officer recommendation be agreed this was seconded by Councillor Legg.

In response to questions from the Panel the Planning Officer confirmed that it may be deemed unreasonable to impose a condition to require occupancy solely by members of the family occupying the main dwelling.

On being put to the vote the proposal to grant the application subject to the conditions detailed in the Panel report was carried unanimously and it was;

RESOLVED –

That planning permission be granted subject to the conditions as detailed in the Panel report

16/03308/FUL

PART TWO STOREY, PART SINGLE STOREY REAR EXTENSION AND LOFT CONVERSION WITH FRONT AND REAR ROOFLIGHTS AND NEW WINDOWS INSTALLED IN EACH ELEVATION FOLLOWING THE APPROVAL OF APPLICATION 15/02540/FUL AT 135 LYNMOUTH CRESCENT, FURZTON, MILTON KEYNES FOR MR MARK LOPEZ.

The Planning Officer introduced the application with a presentation. It was reported that there was no update on the Panel report and the recommendation remained to grant the application subject to the conditions detailed in the report.

The Chair asked that it be noted that Councillor K Geaney was the husband of Ward Councillor M Geaney and was known to him and other members of the Panel, but that no discussions had been had in respect of the application.

The Committee heard representations Councillor K Geaney representing the Parish Council who raised the following concerns;

- The proposal was not in keeping with the area.
- The proposal would have a serious impact on the street-scene at the rear.
- The extension would represent an over development of the site
- The impact on neighbouring properties would be great due to mass and bulk
- An application for the same outcome had previously been refused when submitted as a whole, and there was no justification to allow this application which when taken together with the application previously allowed on appeal would see the same outcome as the originally refused application.

The applicant told the Panel that the area had a mix of house sizes and the proposed development would not be out of character in the area. The proposed development would see only 20% of the plot developed and did not amount to over-development. The Applicant provided detail of similar properties in the area.

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

It was noted that there had been no objections from local residents, however it was further confirmed that the neighbour had sought to speak in objection to the application but made a request after the deadline to register.

On being put to the vote the proposal to grant planning permission subject to the conditions as detailed in the Panel report was carried, and it was;

RESOLVED –

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

16/02607/FUL

VARIATION OF CONDITION 27 (PROTECTION OF 'SANDSTONE WALL') ATTACHED TO PLANNING PERMISSION 14/01409/FUL TO PROPOSE TO TAKE DOWN THE 'SANDSTONE WALL' AND RE-BUILD IT AT A LOWER LEVEL WITH FOUNDATIONS AT FORMER THE OLD GREEN MAN, WATLING STREET, LITTLE BRICKHILL FOR BOND STREET HOMES LTD

The Senior Planning Officer introduced the application with a presentation.

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

Councillor A Geary proposed that the officer recommendation be agreed this was seconded by Councillor Legg.

In response to questions from the Panel the Senior Planning Officer confirmed that it was intended that the original materials be used to construct the new wall, so far as possible.

On being put to the vote the proposal to grant the application subject to the conditions detailed in the Panel report was carried unanimously and it was;

RESOLVED –

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

16/02981/FUL

LOFT CONVERSION WITH PITCHED ROOF REAR DORMER WINDOW, FRONT VELUX WINDOW AND ALTERATIONS TO THE FRONT FIRST FLOOR WINDOW AT 13 RUSSELL

**STREET, WOBURN SANDS, MILTON KEYNES
FOR MR JAMES WILSON**

The Planning Officer introduced the application with a presentation.

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

Councillor A Geary proposed that the officer recommendation be agreed this was seconded by Councillor Legg.

On being put to the vote the proposal to grant the application subject to the conditions detailed in the Panel report was carried unanimously and it was;

RESOLVED –

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

DCP32 CHAIRS THANKS TO OFFICERS

The Chair thanked and commended Planning Officers for the quality of the reports and the presentations and asked that his comments be recorded.

RESOLVED –

That the Comments be noted.

THE CHAIR CLOSED THE MEETING AT 10:12 PM