



Minutes of the DEVELOPMENT CONTROL COMMITTEE held on TUESDAY 22 MARCH 2016 at 7.00 pm.

**Present:** Councillor A Geary (Chair)  
Councillors: Baume, Buckley, Exon, Ganatra (Substituting for Cllr Buckley), Lewis, White, C Williams and P Williams.

**Officers:** S Manley (Head of Development Management), S Evans (DM - Strategic Business Unit Manager), E Catcheside (Senior Planning Officer), P Bartos (Planning Officer), M Barnes (Senior Practitioner – Environmental Health), S Peart (Conservation and Archaeology Manager), N Ahmad (Solicitor - Planning) and D Imbimbo (Committee Manager).

**Apologies:** Councillors Bint, Gowans and Green

**Also Present:** Councillors Bald, Bint, Crooks, McDonald and Morris

**Number of  
Public Present:** 75

**DCC87 CHAIRMANS WELCOME**

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

The Chair reminded those present of the events in Brussels earlier in the day and asked that the Committee, Colleagues and Visitors stand in silence as a mark of respect for those who lost their lives.

**DCC88 DECLARATION OF INTERESTS**

Councillor P Williams asked that it be noted that in respect of application 15/01792/MKCOD3 that he had been a member of the Parish Council and in that capacity had been present when this matter had been discussed, however he had not expressed an opinion or made a determination in respect of whether he would support the application or not.

In respect of application 15/02731/MIN, Councillor A Geary told the Committee that he had relatives and friends who had received care at Willen Hospice and as many people had done over the years had donated to the Charity, however, he had sought legal advice and was satisfied that as he had not discussed the application with representatives of the Hospice or made any decision in respect of whether he would support the application and would approach it with an open mind he was eligible to sit and determine it, and unless any

Member of the Committee with a similar history with the Hospice felt they held a prejudicial interest they should likewise be able to participate in determining the application.

**DCC89**

**REPRESENTATIONS ON APPLICATIONS**

Mrs L Inoki, Mr T Skelton, Dr C Herman Councillor P Shrimpton (Campbell Park Parish Council, and Councillors Bint, Crooks and Morris (Ward Councillors Milton Keynes Council) spoke in objection to application 15/02731/MIN, Construction of Waste Transfer Station, ready mix concrete plant and overnight parking of 14 HGVS (resubmission of 14/02589/MIN) at Cotton Valley Sewage Works, Pineham.

Mr J Gough and Mr J Stump (Applicants) exercised the right of reply

**DCC90**

**PLANNING APPLICATIONS**

**15/02731/MIN CONSTRUCTION OF WASTE TRANSFER STATION, READY MIX CONCRETE PLANT AND OVERNIGHT PARKING OF 14 HGVS (RESUBMISSION OF 14/02589/MIN) AT COTTON VALLEY SEWAGE WORKS, PINEHAM FOR MR JOHN GOUGH (COMPANY: MICK GEORGE LTD)**

The Committee received a petition with 8852 signatories

The petition states;

‘A planning application to build a waste transfer station, ready mix concrete plant and overnight parking for 14 HGC’s alongside Willen Lake North has been re-submitted to the Milton Keynes Council even though it has been turned down once,.

This will create noise, dust and additional traffic in one of the most beautiful parts of Milton Keynes near Willen Village, a bird sanctuary and the Hospice

Stop the concrete plant proposed for Willen Lake’.

The Committee heard from objectors who told the Committee that they held concerns in respect of;

- Visual impact
- Design
- Noise
- Traffic
- Impact on the Hospice

- Ecology
- Appropriate land use.

The Committee heard that the scale of the proposed development was such that it would be intrusive to the area and would have a negative impact on well-known features in the area such as the Church and the Peace Pagoda, and would present an unattractive view from the Willen Hospice

Objectors stated that the design was uninspiring and had no architectural value, and would be out of keeping with the environment in which it was to be set.

There was a great likelihood of noise being created from the process of loading and unloading lorries which would disturb the tranquility of the area and in particular that of the Hospice.

Concern was raised in respect of the proposed use of land which had been allocated for a Community Facility in the Local Plan and the development and subsequent use represented a use more suitable location set out in policy E8 of the Local Plan and ought to be built on a site allocated for such purposes.

Objectors stated that they believed the application to be in breach of policies D1.4, D2.2 and D2.5 of the Local Plan.

It was also commented that the proposal would have a negative impact on the bio-diversity of the site which was believed to support a number of protected species.

The Applicant's agents told the Committee that it was his view that the concerns raised by the Objectors were unfounded as mitigation had been put in place to address all concerns raised, it was particularly of note that the sole reason for the previous refusal was due to noise, this had been addressed by no longer proposing to undertake the noisiest elements of the operation on the site and by having relocated the building with the waste skips to a point further away on the site from that originally intended and in particular further away from the Hospice. The Applicant's agents confirmed that they would be willing to adhere to any reasonable conditions that the Committee may

require and that the site would bring many community benefits including jobs to the area.

The Senior Planning Officer told the Committee that a Site Inspection had been undertaken which had been attended by Councillors A Geary, Exon, Morla and C Williams, also in attendance had been Ward Councillors and a Parish Councillor and that an additional paper had been published setting out information in respect of representations received from Campbell Park Parish Council regarding noise, the distances between the site and Willen Hospice and the M1 and details of licenses issued by Natural England for the translocation of water voles, it was also confirmed that a Heritage Assessment had been undertaken since the determination of the application had been deferred and it had been concluded that the proposed development would not have a negative impact on any designated or non-designated heritage sites in the locality and that her recommendation remained that the application be granted subject to the conditions as detailed in the committee report.

The Senior Planning Officer in response to comments from objectors told the Committee that the Urban Design Manager had not been formally consulted on the proposal but that he had commented in discussion with the case officer that the proposed building was, in his view, unattractive although that matter in itself would not lead him to recommend refusal of the application. The details of the appearance of the building, building materials, and elevational treatment would be secured through condition.

It was also confirmed that the Councils Waste Development Plan Document confirmed that in addition to sites listed in Policy E8 of the Local Plan, existing waste management sites were suitable locations for additional waste management uses. Suitable sites for mineral processing facilities are set out in the Minerals Local Plan which includes sites with similar impacts including waste management sites.

The Environmental Health Officer gave a detailed explanation of the methodology employed to assess the impact of noise. He further confirmed that he was satisfied with the report produced by the applicants and met the usual requirements in compliance with BSA standards and procedures.

Councillor A Geary proposed that the Officer recommendation to approve the application subject to the conditions detailed in the Committee report be agreed, this was seconded by Councillor White.

The Committee considered in depth the comments made by objectors and those of the applicant's agents.

Members of the Committee recognised that the proposed development would have an impact on the area, however it was also recognised that there were mitigation measures proposed by way of condition, however these could be strengthened.

The Committee also recognised that to refuse the application without the risk of having the decision overturned by the planning inspector, would require reasons that could not be challenged, it was also therefore a risk that in the event that a refusal was challenged there would be no capability on the part of the Council to require stronger conditions and therefore could result in an application being granted that would have a greater impact on the locality than an application approved by the committee with the conditions considered to be required to mitigate as much as possible that impact.

It was further noted that screening provided by vegetation on adjacent land could not be guaranteed to be kept in place by the Parks Trust, who managed that land, and therefore should the Committee be minded to approve the application additional conditions may be required in this respect.

The Environmental Health Officer gave further explanation of the potential impact of the noise from the additional traffic movements likely to result of the operations at the site, the Committee heard that it was not considered to be excessive.

Councillor Exon confirmed that having attended the site inspection he was aware that it would not be possible to view the development from the Hospice due to the present screening by vegetation, however there was a direct sightline to the Pagoda, this however was not of a nature that, in his view, resulted in an unacceptable intrusion due to other features in the area. In respect of noise it was noticeable that noise from traffic already existed, it was purely a matter of speculation as to what the

impact of the additional vehicles would be.

The meeting was adjourned for a short period of time due to an unrelated matter.

The Senior Planning Officer in response to a question stated that the highways officers had confirmed that the existing vehicle movements along the V11 at the a.m. peak was 1605, the additional movements as a result of the development would add 24 movements which was not considered to be significant and it was also considered that site access arrangements were adequate for the proposed levels of vehicles attending the site.

The Senior Planning Officer confirmed that permits would be required in respect of Environmental Health issues and these would be the main control factors in respect of dust and odour emissions, however should the Committee be minded to do so it could place additional conditions on the applicants.

It was acknowledged that whilst the land was designated for a community facility in the Local Plan, the development should be assessed with consideration to the existing use of the site within the curtilage of a sewerage works as well as the harm that would be caused through the use of the land for waste management purposes as opposed to a community facility.

The Committee also heard that in respect of visual impact it was confirmed that the applicant had agreed to clad the building with materials to be approved by the planning authority. The applicant had also confirmed that in addition to the proposed landscaping a further line of trees could be planted on the western boundary of the site if so required to mitigate against the potential loss of existing vegetation off site.

Councillor A Geary told the committee that he was aware that the application had been a matter requiring considerable and sensitive work and the Senior Planning Officer had gone to great lengths including attending the hospice and site in her own time to ensure that all the information required by the Committee was provided and verified, and on behalf of the Committee thanked her for the work

Councillor C Williams proposed that the motion to

grant the application subject to the conditions as detailed in the committee report be amended to include additional and amended conditions for;

1. Additional landscaping including planting of trees on the whole length of the western border adjacent to Tongwell Street on site.
2. That the external cladding, terms of texture, design and colour that reduces the possibility of seeing the building from anywhere off site and thereby reduces the visual impact.
3. In recognition of the unloading of materials taking place only within the main building that building be lined on the interior with a material that insulates against sound passing through the walls as well as the exterior measures to reduce sound.
4. That the Environmental Health odour and dust plan and any other licenses required be in place and accepted before any construction materials are taken onto the site.

And, that the final wording of the additional and amended conditions be delegated to the Head of Development Control in consultation with the Chair and Vice Chairs of the Committee.

This was seconded by Councillor P Williams.

Councillors A Geary and White as proposer and seconder of the original motion accepted the amendment.

On being put to the vote the motion to grant the application subject to the conditions set out in the Committee report as amended above was carried and it was;

RESOLVED -

That planning permission be granted subject to the conditions as set out in the Committee report amended to include additional and amended conditions for;

1. Additional landscaping including planting of trees on the whole length of the western border adjacent to Tongwell Street on site.
2. That the external cladding, terms of texture, design and colour that reduces the possibility of seeing the building from anywhere off site and

thereby reduces the visual impact.

3. In recognition of the unloading of materials taking place only within the main building that building be lined on the interior with a material that insulates against sound passing through the walls as well as the exterior measures to reduce sound and in particular to reduce any noise impact on the Hospice.
4. That the Environmental Health odour and dust plan and any other licenses required be in place and accepted before any construction materials are taken onto the site.

**15/01792/MKCOD3**

**CHANGE OF USE OF EXISTING CAR PARK TO NEW SPORTS FACILITIES INCLUDING SPORTS PAVILION WITH CHANGING ROOMS, A MULTI-USE 3G ARTIFICIAL SPORTS PITCH, TWO EXTERNAL MUGAS, ASSOCIATED EXTERNAL LIGHTING, FENCING AND ON-SITE CAR PARKING AT LAND AT, ELDER GATE, CENTRAL MILTON KEYNES FOR MILTON KEYNES COUNCIL**

The Strategic Business Unit Manager told the Committee that there was no update on the Committee report and published additional papers, and that the recommendation remained to grant the application subject to the conditions detailed therein.

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

The Chair told the Committee that the proposal to develop the sports facility had been the subject of much debate but it was for the Committee to determine the application on its merits taking account only of planning considerations.

Members of the Committee expressed some concern about the parking provision but recognised that there was parking available in the vicinity.

Councillor C Williams told the Committee that he proposed that the informative requested by Network Rail to ensure that the applicants be aware of the requirement to ensure that the operational access remained unblocked at all times, this was not seconded.

On being put to the vote the proposal to grant the



application was carried, and it was;

RESOLVED –

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

**15/02777/FUL CONSTRUCTION OF DWELLING HOUSE WITH NEW ACCESS INCLUDING DETACHED PAVILION, PERGOLA AND ENGINEERING WORKS TO FORM A LANDSCAPED POND AT NORTH END COTTAGE, NORTH END, RAVENSTONE FOR MR PETER JAYE**

The Planning Officer reported that an additional email representation had been received from Mr M Galloway expressing concern in respect of the effect of Milton Keynes Council not having a 5 year housing supply and a High Court decision that had been made recently. Also it was reported that a letter of objection had been received since publication of the agenda that raised issues already covered in the report. The Planning Officer told the Committee that the recommendation remained to grant the application subject to the conditions detailed therein.

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

Councillor White asked that it be noted that he had received an email from a neighbour earlier in the day but was not aware of the content as he had not read it.

The content of the late representation was noted but not considered to have a material impact on the application, the Chair did ask that a briefing note be prepared for the Committee.

On being put to the vote the proposal to grant the application was carried unanimously, and it was;

RESOLVED –

1. That planning permission be granted subject to the conditions as detailed in the Committee report.
2. That a briefing note be circulated to the Committee in respect of the recent judgement in respect of the 5 year housing supply.

THE CHAIR CLOSED THE MEETING AT 10:04PM