

Minutes of the meeting of the DEVELOPMENT CONTROL PANEL held on THURSDAY 25 OCTOBER 2018 at 7:00 pm.

Present: Councillor: McLean (Chair)
Councillors Alexander, A Geary, Legg and Williams

Officers: N Thompson (Interim Development Management Manager), E Verdegem (Senior Planning Officer), C Ashby (Planning Officer), R Edgington (Planning Officer), N Roy (Principle Solicitor) and D Imbimbo (Committee Manager).

Number of

Public Present: Circa 15

Also Present: Councillor McDonald

DCP14 WELCOME AND INTRODUCTIONS

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

DCP15 DECLARATIONS OF INTEREST

Councillor Williams asked that it be noted that in respect of application 18/01873/FUL he had registered to speak in objection to the application and would therefore step down from the Panel during consideration of that application.

Councillor Alexander asked that it be noted that in respect of application 18/01734/FUL the proposed development was within his ward, however he had not had any discussion or expressed any view on the proposal and would judge it on its merits.

DCP16 REPRESENTATIONS ON APPLICATIONS

Mr R Wormham spoke in objection to application 18/01734/FUL Two storey rear extension and other minor internal modifications at 6 Clayton Gate, Giffard Park, Milton Keynes.

The Applicant declined the right of reply.

Mr M Tuohy spoke in objection to application 18/01977/FUL Three storey front extension with first floor balcony, single-storey rear extension and demolition of existing porch at 9 Shallowford Grove, Furzton, Milton Keynes.

The Applicant, Mr Jolly, exercised the right of reply.

Mr A King and Councillor McDonald (Ward Councillor) spoke in objection to application 18/01244/FUL Demolition of a former day nursery and change of use to C3, development of 4 dwellings with

associated highways works and associated works at Childrens Resource Centre, 211 Simpson, Simpson, Milton Keynes.

The Applicant's Agent Mr W Young exercised the right of reply.

Mr M Clapson, Ms L Barnard and Councillor McDonald (Ward Councillor) spoke in objection to application 18/01873/FUL First floor side extension, rear conservatory and loft conversion at 4 Forrabury Avenue, Bradwell Common, Milton Keynes.

The Applicants agent, Mr N Ubhi, exercised the right of reply.

DCP17

APPLICATIONS

18/01734/FUL TWO STOREY REAR EXTENSION AND OTHER MINOR INTERNAL MODIFICATIONS AT 6 CLAYTON GATE, GIFFARD PARK, MILTON KEYNES FOR MR & MRS OMAR

The Planning Officer introduced the application with a presentation.

The Panel heard that there was no update on the published 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 objector who raised the following objections;

- The proposed development was not in keeping with the original character of the building.
- The development will be out of keeping with other houses in the road, and,
- The property would exceed the needs of the present small family and it is questionable what the future intended use of the property is in particular the potential to use it as a HiMO.
- There was likely to be reflective noise impacting on neighbouring properties.
- There would be disruption due to construction.

The Committee was reminded that the potential future use of the property was not a planning consideration in respect of the application being considered. It was confirmed that should a change of use be proposed for the property this would be subject to a separate application.

Councillor McLean proposed that the recommendation to grant the application subject to the conditions as detailed in the Panel report be

agreed, this was seconded by Councillor Legg.

The Panel considered the objections and sympathised with the concerns expressed by the objector but recognised there were no policy or planning law contraventions to justify a refusal. It was further commented that trees that were on the highway and in the ownership and care of the Council would obscure much of the proposed extension from view from the street.

In response to a question the planning officer confirmed that dwellings in the street had a variety of different extensions and that there was no uniform design, it was noted that the first floor window was a minor departure from the general street scene, however the change was considered to be minor and not substantive enough to justify a refusal of the application.

The Panel also commented that the parking provision, whilst compliant with policy, seemed inadequate but again recognised that this did not therefore amount to a reason for refusal.

On being put to the vote the proposal to grant the application subject to the conditions as stated in the Panel report was carried with all members of the Panel voting in favour.

RESOLVED –

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

18/01977/FUL THREE STOREY FRONT EXTENSION WITH FIRST FLOOR BALCONY, SINGLE-STOREY REAR EXTENSION AND DEMOLITION OF EXISTING PORCH AT 9 SHALLOWFORD GROVE, FURZTON, MILTON KEYNES FOR MR JOLLY

The Planning Officer introduced the application with a presentation.

The Planning Officer confirmed that a Site Inspection had been undertaken which had been attended by Councillor McLean. The Panel heard that the recommendation remained to grant the application subject to the conditions as detailed in the Panel report.

The Panel heard representations from the objector who raised the following concerns:

- The proposal was out of character with the area due to the size and bulk of the proposed extension.

- The proposal was not in keeping with the existing street design.
- The addition of the second floor balcony will dominate the street view.
- The property is highly visible from the walkways around the lake.

The applicant told the Panel that the design had been modified in liaison with the planning officer to address concerns raised by neighbours and the Ward Councillor. The Parish Council commented on the amended proposal which addressed these concerns and subsequently raised no objection.

Councillor McLean proposed that the recommendation to grant the application subject to the conditions as detailed in the Panel report be agreed, this was seconded by Councillor Legg.

Councillor Legg stated that he was familiar with the location as a regular user of the footpath around the lake, he stated that he did not believe that the proposals were out of character with what was already present in the area. Assessing the application against policy and planning law he could see no justifiable reason not to approve the application.

Councillor McLean, having attended the Site Inspection, concurred with the view expressed by Councillor Legg.

On being put to the vote the recommendation to grant the application was carried.

RESOLVED –

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

18/01244/FUL

DEMOLITION OF A FORMER DAY NURSERY AND CHANGE OF USE TO C3, DEVELOPMENT OF 4 DWELLINGS WITH ASSOCIATED HIGHWAYS WORKS AND ASSOCIATED WORKS AT CHILDRENS RESOURCE CENTRE, 211 SIMPSON, SIMPSON, MILTON KEYNES FOR SIMPSON MK LTD.

The Senior Planning Officer introduced the application with a presentation. The Panel heard that the recommendation remained to grant the application but with a revision to delegate authority to the Chief Planner to add the relevant conditions once a District Licence in respect of Great Crested Newts (Protected Species) had been issued.

The Panel heard from Objectors who raised the following concerns;

- The development represented an overdevelopment of the site.
- The proposed buildings were to be situated too close to the existing bungalow on the adjacent site with plot 3 being only 5' from the mutual boundary.
- The proposed buildings being two storey and in addition having a gable end would be overbearing to the neighbouring bungalow.
- The separation distances referred to in the Residential Design Guide are measured from the first floor, however as the neighbouring property in this instance is a bungalow that does not apply, this seems to be incorrect.
- The parking spaces allocated for plot 4 are on the boundary with the only neighbouring property, their location could be amended to reduce the negative impact on the amenity of the neighbour.
- There is a loss of amenity land which was incorrectly reported in the Committee report and only addressed when challenged by the Ward Councillor

The applicant's agent told the Panel that the scheme had been revised and reduced from a 7 dwelling scheme to seek to ensure that the application was policy compliant.

The Senior Planning Officer confirmed that the policy in respect of separation distances did not apply due to the fact that the existing property was a single storey bungalow but also that the guidance did not cater for side to side separation, as this was, but was guidance in respect of back to back or side to back distances. Nevertheless, the proposal had been assessed using the Guidance as a guide.

Councillor McLean proposed that the recommendation to grant the application subject to the conditions as detailed in the Panel report be agreed, this was seconded by Councillor Legg.

The Panel recognised that the application was policy compliant but expressed disappointment with the design and layout of the proposal.

On being put to the vote the proposal to grant the application with authority to add any relevant conditions in respect of Great Crested Newts being delegated to the Chief Planner as required was

carried.

RESOLVED –

That the application be granted subject to the conditions as detailed in the panel report and authority to add any relevant conditions in respect of Great Crested Newts be delegated to the Head of Planning.

18/01873/FUL

FIRST FLOOR SIDE EXTENSION, REAR CONSERVATORY AND LOFT CONVERSION AT 4 FORRABURY AVENUE, BRADWELL COMMON, MILTON KEYNES, MILTON KEYNES FOR MRS ALFOUDARI

Councillor Williams stood down from the Panel during consideration of this application.

The Planning Officer verbally updated the panel that Parish council comments were received after the update paper, however all points raised were addressed within the Panel report. The Planning Officer introduced the application with a presentation.

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

The panel heard from Objectors who raised concerns in respect of;

- The proposed depth of the single story rear conservatory is excessive and will be only 18' from the rear of the neighbouring property.
- The report has errors referring to the application property as a 5 bedroom property where it is a 4 bedroom property, increasing it to a 6 bedroom property together with the rear extension represents an over development of the site.
- Loss of privacy and overlooking of neighbouring properties.
- The proposals are contrary to policies D1, D2 and D2(a) as having adverse impact on the amenity of surrounding properties.
- The proposal will result in an overbearing and visually intrusive structure.
- The proposal would also be in contravention of policy CS13.
- The Council has a responsibility to ensure that the Human Rights, in particular articles 1 and 8, of occupants of neighbouring properties are safeguarded.

- The proposal would be in contravention of policy D3 (requirement of extensions to relate well to existing plot), of the emerging PlanMK which should be given significant weight.

The applicant told the Panel that the proposal had been drawn up in compliance with existing policy. In response to a question the applicant's agent told the Panel that the site was adequate to provide for 2 parking spaces despite the application only referring to the one which was the status of the existing property.

The Planning Officer clarified that the proposal was from a 5 to 6 bedroom property and that the existing parking provision was 1 allocated space as a garage is not classed as an allocated space within the parking standards. The Planning Officer further confirmed that all the concerns raised by the objectors and references to policies had been addressed in the Panel report.

Councillor McLean proposed that the recommendation to grant the application subject to the conditions as detailed in the Panel report be agreed, this was seconded by Councillor Legg.

Members of the Panel expressed concern in respect of the parking provision.

Members heard from the Senior Planning Officer that significant weight could be given to the emerging Plan: MK, but that the application is assessed against existing adopted policy.

The Planning Solicitor also advised the Committee that the NPPF stated that policy within an emerging plan ought not to be given significant weight when considering refusing an application.

On being put to the vote the proposal to grant the application subject to the conditions detailed within the panel report was carried.

RESOLVED –

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

18/01508/FUL

CONSTRUCTION OF ANGLERS CAR PARK AT LAND TO THE WEST OF EASTAFF CROFT, WOBURN SANDS FOR VAUXHALL ANGLING CLUB

The Planning Officer introduced the application with a presentation.

The Planning Officer confirmed that there was no

update on the panel report and the published update report, and that the recommendation remained to grant the application.

Councillor McLean 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 as detailed in the reports was carried.

RESOLVED –

That the application be granted subject to the conditions as detailed in the panel reports.

THE CHAIR CLOSED THE MEETING AT 8:12 PM