

Minutes of the meeting of the DEVELOPMENT CONTROL PANEL held on THURSDAY 13 DECEMBER 2018 at 7:00 pm.

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

Officers: P Keen (Interim Development Management Manager), D Buckley (Senior Planning Officer), J Lee (Senior Planning Officer), C Ashby (Planning Officer), L Gledhill (Planning Officer), Peacock (Planning Officer), A Pommells (Planning Officer), V Watts (Interim Solicitor) and D Imbimbo (Committee Manager).

Number of Public Present: Circa 50

Also Present: Councillors R Bradburn, Darlington and Middleton

DCP22 WELCOME AND INTRODUCTIONS

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

DCP23 DECLARATIONS OF INTEREST

None were made.

DCP24 REPRESENTATIONS ON APPLICATIONS

Mr R Wood, Councillor Y Cook (Wolverton and Greenleys Town Council) and Councillor Middleton (Ward Councillor) spoke in objection to application 18/02406/FUL One bedroom bungalow at 7 Slated Row, Old Wolverton, Milton Keynes.

The Applicant's agent Mr P Smith exercised the right of reply.

Mr D Giles, Mr K Jones, Ms J Brown and Councillor P Harvey (West Bletchley Council) spoke in objection to application 16/02700/FUL Diversion of a right of way and erection of a three bedroom detached house together with associated works at Land to the North of 15, Gleneagles Close, Bletchley.

The Applicant declined the right of reply.

Mr P Temple, Mr D Day and Councillor C Hall (Old Woughton Parish Council) spoke in objection to application 18/02019/FUL Erection of proposed detached (ancillary) annexe within the curtilage of the existing dwelling at 4 Newport Road, Woughton on the Green, Milton Keynes.

The Applicant's agent, Ms K Dixon, exercised the right of reply.

Councillor D Stabler (Great Linford Parish Council) spoke in objection to application 18/02395/FUL Proposed three new dormer windows to front elevation at 93 Sakura Walk, Willen Park, Milton Keynes.

The applicant declined the right of reply.

Ms R D'Ambrosi, Ms H MacDonald, Ms P Hannaford and Councillor R Bradburn (Ward Councillor) spoke in objection to application 18/02457/FUL Two-storey rear extension and single-storey side extension at 4 Pyke Hayes Two Mile Ash Milton Keynes.

The applicant declined the right of reply.

Mr P Venn, Mr M Morjaria and Councillor D Stabler (Great Linford Parish Council) spoke in objection to application 18/00592/FUL Change of Use from C3 Dwellinghouses to C4 Houses in Multiple Occupation with 5 bedrooms and 5 occupants. Remove and reconfigure part of the fencing to allow two additional car park spaces at 4 Rothersthorpe, Giffard Park, Milton Keynes.

The Applicant's agent Mr P Smith exercised the right of reply.

DCP21

APPLICATIONS

15/02596/FUL ERECTION OF PART SINGLE STOREY, PART TWO STOREY FRONT AND SIDE EXTENSION TO ACCOMMODATE ANCILLARY FACILITIES FOR THE NIGHT CLUB, REMOVAL OF CONTINUOUS WALKWAY AND EXTERNAL STAIRCASE, REMOVAL OF RAINBOW SIGNAGE AND IMPROVED PARKING AND MANOEUVRING ARRANGEMENTS (PART RETROSPECTIVE) AT THE PINK PUNTER, 2 WATLING STREET, BLETCHLEY, MILTON KEYNES FOR PINK PUNTERS.

The Chair told the Panel that a request had been received from the Ward Councillor for a deferral of the determination of the application as she had been seeking additional information to inform whether to object to the application. The information not yet having been made available to her.

Councillor McLean, seconded by Councillor Williams proposed that the application be deferred which was carried on acclamation.

RESOLVED –

That the application be deferred.

18/02406/FUL ONE BEDROOM BUNGALOW AT 7 SLATED ROW, OLD WOLVERTON, MILTON KEYNES, MILTON KEYNES FOR MS SARAH TOMPKINS

Councillor A Geary stated that he had not previously realised but recognised the applicant as a personal friend and would therefore leave the room and not take any part in the determination of the application.

The Planning Officer introduced the application with a presentation.

The Planning Officer confirmed that the recommendation remained to refuse the application for the reasons stated in the Panel report.

The Panel heard representations from the objectors who welcomed the officer recommendation to refuse the application and reiterated objections made during the course of the formal consultation phase.

The applicant's agent told the Panel that the site was located on a private road, and that whilst part of the road was only wide enough to allow single way traffic the remaining section was wide enough to accommodate two vehicles, the site was on the part where two-way traffic could pass. Residents also park on driveways, which allows easier access.

The applicant's agent also confirmed that the site was large enough to accommodate the three parking spaces required.

It was acknowledged that a full 1 metre buffer was not available on the parking spaces, however the road is private and subject to light traffic which travels at a slow pace and vehicles associated with the application site can be parked off the road.

The applicant's agent also stated that he did not believe that the proposal would be detrimental to the street scene and that he did not agree that the make-up of single and two storey houses did not make it 'unique', furthermore Slated Row was not part of the conservation area and did not contain any listed buildings. The proposal being a single storey building would fit in and the proposed materials were consistent with other buildings in the street. The applicant's agent also commented that pre-application advice had indicated that the scheme would be acceptable.

Councillor McLean proposed that the recommendation to refuse the application for the

reasons as detailed in the Panel report be agreed, this was seconded by Councillor C Wilson.

The Panel heard that pre-application advice was not a matter that should be taken into account in the determination of the application as it would not necessarily be able to take account of all consultee responses and instead served to guide an applicant taking account of the best information available at the time of the enquiry.

The Panel noted the strong objections raised by the Highways Officers and concurred with the conclusions drawn, it was further commented that proposal was likely to have an impact on the character of the local area.

On being put to the vote the recommendation to refuse the application was carried with all members voting in favour.

RESOLVED –

That the application be refused as;

1. The narrow vehicle access, reversing distance of 3 - 3.5 metres and unsuitability of the area for delivery vehicles would likely lead to highways issues on Slated Row and Old Wolverton Road. Therefore, the proposal would not be considered to comply with Saved Policies T10, D1 (vi) and T15 of the Milton Keynes Local Plan, and,
2. The proposal would negatively impact upon the character of the local area due its scale and layout within a unique historical area, resulting in a cramped and overdeveloped site within the locality. Therefore, the proposal would not comply with Saved Policy D2 (i), (ii) and (iv) of the Milton Keynes Local Plan 2001-2011 and paragraph 127 of the National Planning Policy Framework

16/02700/FUL

DIVERSION OF A RIGHT OF WAY AND ERECTION OF A THREE BEDROOM DETACHED HOUSE TOGETHER WITH ASSOCIATED WORKS AT LAND TO THE NORTH OF 15, GLENEAGLES CLOSE, BLETCHLEY FOR TAYLOR WIMPEY SOUTH MIDLANDS LTD.

Councillor A Geary re-joined the Panel.

The Planning Officer introduced the application with a presentation. It was confirmed that a consultation response had been received from the 'Right of Way' Officer after publication of the

agenda, it was noted that there was no objection to the application as the proposed diversion, which would be applied for and considered under alternative procedures, would result in a footpath that met the minimum requirements.

The Panel heard that the recommendation remained to grant the application subject to the conditions detailed in the Panel report and additional conditions as detailed in the update report.

The Panel heard representations from the objectors who reiterated objections made during the course of the formal consultation phase.

It was noted that the review of the emerging Neighbourhood Plan had been concluded and that it was now subject to a referendum that would take place in February 2019. It was commented that there was however no specific policy therein that opposed the development of the application site.

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 Williams.

The panel having heard that a large sewer was under the plot was advised that this was a matter that would be for the water service provider to discuss with the applicant should the application be granted, but was not a material planning consideration and did not amount to a reason to refuse the application.

It was noted that points raised by the objectors had been addressed in the report.

Members of the Panel expressed some concern in respect of the potential blocking of the public right of way during the construction stage and to safeguard this Councillor A Geary, seconded by Councillor Alexander proposed that the additional condition recommended in the update report in respect of the footpath be amended to read;

'No part of the development shall begin until details of the proposed temporary footpath during construction and permanent footpath following completion of the development had been submitted and approved in writing by the local planning authority and no part of the development shall begin until the footpath had been sited and

constructed in accordance with the approved details.

Reason: to provide an adequate footpath network'

The Chair accepted the amendment to the original motion.

On being put to the vote the proposal to grant the application together with the conditions as detailed in the panel report together with those detailed in the update report amended as above was carried.

RESOLVED –

That the application be granted subject to the conditions detailed in the panel and update report as amended above.

18/02019/FUL

ERECTION OF PROPOSED DETACHED (ANCILLARY) ANNEXE WITHIN THE CURTILAGE OF THE EXISTING DWELLING AT 4 NEWPORT ROAD, WOUGHTON ON THE GREEN, MILTON KEYNES FOR MR AND MRS DIXON

The Senior Planning Officer introduced the application with a presentation.

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 objectors who reiterated objections made during the course of the formal consultation phase. In particular it was the location of the proposed annex, which was to be close to neighbouring properties that was of concern as it would result in a loss of amenity to neighbouring properties whilst the applicants dwelling would suffer minimum harm.

The applicant's agent told the Panel that the scheme had been designed after lengthy consultation with the Councils Conservation Officers and complies with their desired outcomes, even where the applicant would have preferred an alternative. The Panel also heard an explanation of the principle of using contemporary styling rather than traditional in the setting of a heritage asset.

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 Williams.

The Panel noted that the site was large and could accommodate the annex, it was further noted that the annex was to be used as an ancillary dwelling but could not be considered as a separate dwelling as it did not have private access or other features that would be considered necessary for a dwelling in its own right.

The Panel also noted the concerns of the Parish Council in respect of precedent, however recognised that each application has to be considered on its merits without reference to other schemes.

Councillor A Geary stated that he did not accept that the design was appropriate for the area.

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.

18/02020/LBC

LISTED BUILDING CONSENT FOR THE ERECTION OF PROPOSED DETACHED (ANCILLARY) ANNEXE WITHIN THE CURTILAGE OF THE EXISTING DWELLING AT 4 NEWPORT ROAD, WOUGHTON ON THE GREEN, MILTON KEYNES FOR MR AND MRS DIXON

The Planning Officer introduced the application with a presentation.

The Planning Officer confirmed 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.

Councillor McLean, seconded by Councillor Williams proposed that the Officer recommendation be agreed.

On being put to the vote the motion to approve the application subject to the conditions as detailed was carried.

RESOLVED –

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

18/02395/FUL

PROPOSED THREE NEW DORMER WINDOWS TO FRONT ELEVATION AT 93 SAKURA WALK, WILLEN PARK, MILTON KEYNES FOR MR SAEED ABDULLA AL KAABI

The Planning Officer introduced the application with a presentation.

The Panel heard that a site inspection had been undertaken 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.

It was noted that a gate had been erected which had had an impact on parking provision, this was not a matter to be considered as a part of the application being determined and would be dealt with as a separate matter.

The Panel heard representations from the objector on behalf of Great Linford parish Council, who reiterated objections made during the course of the formal consultation phase. In particular concerns were expressed in respect of a shortfall in parking and that the proposed 3 dormer windows was not in keeping with the street, whereas two would be acceptable subject to appropriate materials being used.

Councillor McLean, seconded by Councillor Williams proposed that the Officer recommendation be agreed.

The Panel recognised that parking concerns were not a matter to be taken account of in determining this application, however it was the panels view that any enforcement action should be progressed as expeditiously as possible.

It was noted that there were various properties with dormer windows in the street that used different materials and therefore the proposal would not be out of keeping with the area, likewise the principle of dormers windows had been established in the street.

Councillor Alexander proposed that the determination of the application be deferred to allow the applicant to reconsider the proposal to develop 2 dormer windows rather than 3, this was seconded by Councillor A Geary, on being put to the vote the proposal to defer was lost.

Members of the Panel stated that they did not believe that the proposal was detrimental to the street scene which already saw different materials and configurations of dormer windows and other features.

On being put to the vote the motion to approve the

application subject to the conditions as detailed was carried.

RESOLVED –

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

18/02457/FUL

TWO-STOREY REAR EXTENSION AND SINGLE-STOREY SIDE EXTENSION AT 4 PYKE HAYES TWO MILE ASH MILTON KEYNES FOR MR & MRS HOLLAND

The Senior Planning Officer introduced the application with a presentation.

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 objectors who reiterated objections made during the course of the formal consultation phase. In particular objectors made comment that the proposal would be an over-development of the site and the mass and bulk would be such that it would be out of keeping with other properties. The size and height would result in overlooking and loss of privacy for neighbours and also overshadowing which would have a negative impact on solar panels fitted to the neighbouring property. The proposal would result in a 70% increase in the floor space, the proposed flat roof is also out of keeping with the street scene.

It was noted that a similar proposal at a house nearby was refused in April 2016 due to the overbearing mass and bulk.

Councillor McLean, seconded by Councillor Williams proposed that the Officer recommendation be agreed.

The Interim Development Management Manager reminded the Panel that over development was a subjective assessment, and should take account of overall size in comparison to the site and the local area.

It was noted that 70% increase of a building on a large plot was not over significant.

Councillor C Wilson believed that the overall increase in mass and bulk did represent an over development of the site, other members took an alternative view.

The Panel held some concern in respect of the impact on the solar panels and that the Council did

not have a policy to defend against a proposed development having a significant negative impact on them due to loss of light or overshadowing. It was proposed that a referral be made to the relevant Cabinet member to consider exploring an appropriate policy to protect against developments that could have a negative impact of this nature.

On being put to the vote the proposal to grant the application subject to the conditions stated in the Panel report was lost.

Councillor C Wilson proposed, seconded by Councillor Alexander, that the application be refused as due to the mass, scale and bulk of the proposed extension there would be harm to the street scene and a loss of amenity for neighbouring properties, contrary to policy D2(i) of the saved Milton Keynes Local Plan.

On being put to the vote the motion to refuse the application for the reasons stated was carried.

RESOLVED –

1. That planning permission be refused as the proposed development would be contrary to policy D2(i) of the saved Milton Keynes Local Plan by virtue of its mass and scale.
2. That Cabinet be recommended to consider a policy to ensure that where solar panel are fitted to a property any proposed extension or development of neighbouring properties does not adversely affect their efficiency.

18/00592/FUL

CHANGE OF USE FROM C3 DWELLING HOUSE TO C4 HOUSES IN MULTIPLE OCCUPATION WITH 5 BEDROOMS AND 5 OCCUPANTS. REMOVE AND RECONFIGURE PART OF THE FENCING TO ALLOW TWO ADDITIONAL CAR PARK SPACES AT 4 ROTHERSTHORPE, GIFFARD PARK, MILTON KEYNES FOR RENDALS LIMITED

The Senior Planning Officer introduced the application with a presentation.

The Panel heard that a site inspection had been undertaken attended by Councillor McLean.

It was noted that the new application sought to address a previous reason for refusal and had seen a decrease in the number of proposed bedrooms, thereby reducing the required parking provision, there remained however a shortfall in the parking provision of one space.

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 objectors who reiterated objections made during the course of the formal consultation phase.

The Applicant's agent told the Panel that the parking arrangements had been agreed in consultation with the Highways Officers to ensure that they complied with policy, and that in addition the arrangements for parking vehicles were no different to those being exercised by the objectors, it was also noted that visibility for drivers leaving the parking spaces as proposed was better than that enjoyed by objectors to the scheme. Tracking plans had been submitted to refute the assertions of the Parish Council that the parking spaces would prove difficult to access and egress.

Councillor McLean, seconded by Councillor Williams proposed that the Officer recommendation be agreed.

The Panel held some concern in respect of the potential for on street parking but recognised that this would not necessarily result in any congestion or highway safety issues beyond those already experienced in the street.

It was recognised that a HiMO has different requirements to those of a family dwelling and that car usage was likely to be quite high, however, it was also appreciated that whilst it was not policy compliant in terms of parking, the impact of the proposal on parking would be no worse than the existing six bedroom dwelling. That however did not necessarily justify granting the application which was for a change of use and should be assessed on its merits under the requirements of the new use class.

On being put to the vote the proposal to grant the application subject to conditions was lost.

Councillor C Wilson proposed, seconded by Councillor Williams, that the application be refused as it failed to satisfy policy T15 by virtue of the shortfall in parking provision.

RESOLVED –

That change of use from 6 bedroom dwelling to a 5 bedroom HiMO be refused as the proposal failed to provide the required parking spaces and was therefore contrary to Policy T15 of the saved Milton Keynes Local Plan.

18/02283/FUL

**PROPOSED DETACHED DWELLING AND
DOUBLE GARAGE AT LAND ADJACENT TO 8
PHOEBE LANE, PHOEBE LANE, WAVENDON
FOR MISS VICKY HOPKINS**

The Planning Officer introduced the application with a presentation.

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

Councillor McLean, seconded by Councillor Williams proposed that the Officer recommendation be agreed.

On being put to the vote the motion to approve the application subject to the conditions as detailed was carried.

RESOLVED –

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

THE CHAIR CLOSED THE MEETING AT 10:05 PM