



Minutes of the SPECIAL meeting of the DEVELOPMENT CONTROL COMMITTEE held on THURSDAY 17 NOVEMBER 2016 at 7.00 pm.

Present: Councillor A Geary (Chair)
Councillors: Alexander, Bint, Eastman, Exon, Green (Substituting for Councillor McLean), Legg, Petchey and P Williams (substituting for Councillor Clifton).

Officers: B Leahy (Head of Development Management), S Hine (Senior Planning Officer), A Sacbucker (Senior Planning Officer), N Wheatcroft (Senior Planning Officer), A Swannell (Senior Highways Engineer), S Peart (Conservation and Archaeology Manager), P Van Geete (Tariff Programme Manager), J Williamson (Senior Planning Officer), N Sainsbury (Head of Urban Design and Landscape Architecture), (J Price-Jones (Solicitor – Planning) and D Imbimbo (Committee Manager).

Apologies: Councillor Clifton, McLean and Morla

Also Present: Councillors Clancy, Geaney, Wales, Mr N Weeks (SMT) and Mr R Dixon (Viability Consultant)

**Number of
Public Present:** 75

DCC46 CHAIRMANS WELCOME

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

DCC47 DECLARATION OF INTERESTS

Councillor Alexander asked that it be noted that in respect of application 16/00349/FUL, he had undertaken discussion on the application with the developers and would therefore take no part in the determination of the application.

Councillor Green and A Geary asked that it be noted that in respect of application 16/00349/FUL, as neighbouring Ward Councillors they had been lobbied by the Town Council in respect of the application but had made no comment on the matter. Councillor Eastman asked that it be noted that he was a Ward Councillor for the application site but had not entered any discussion in respect of the matter. He further confirmed that although a member of the Town Council he did not partake of any activity in respect of planning matters on the

Council.

Councillor Legg asked that it be noted that he was a Member of West Bletchley Town Council but had not been involved in any of the considerations of the matters to be discussed by the Committee.

DCC48

REPRESENTATIONS ON APPLICATIONS

Councillor I Whipp and Councillor S Heath (Newton Longville Parish Council), and Councillor E Thomas (West Bletchley Town Council) spoke in objection to application 15/00619/FUL Physical improvements to the Tattenhoe and Bottle dump roundabouts and a new access onto the A421 (priority left in/left out) to accommodate the development of land in Aylesbury Vale District reference 15/00314/AOP at Land At Buckingham Road, Tattenhoe Roundabout, Standing Way To Bottle Dump Roundabout

The applicants Agent, Mr M Hyde declined the right of reply.

Mr P Marsh, Councillor A Moss (Wolverton and Greenleys Town Council) and Councillor Miles spoke in objection to Application 15/02030/OUTEIS Demolition of all existing structures (except part of the lifting shop building and the brick wall on Stratford Road which are partially demolished) and development to create a new employment floor space (use classes B1/B2/B8), up to 375 residential units (Use class C3), a new foodstore (use class A1), a new community facility (use class D1 or D2) new hard and soft landscaping, open space and public realm, amended site vehicular access including alterations to junctions and pavements at Railcare Maintenance Depot, Stratford Road, Wolverton

Councillor Middleton (MKC) spoke in favour of the application.

Mr A Clark (Applicant) and Mr G Morris (Architect) exercised the right of reply.

DCC49

PLANNING APPLICATIONS

15/02030/OUTEIS DEMOLITION OF ALL EXISTING STRUCTURES (EXCEPT PART OF THE LIFTING SHOP BUILDING AND THE BRICK WALL ON STRATFORD ROAD WHICH ARE PARTIALLY DEMOLISHED) AND DEVELOPMENT TO CREATE A NEW EMPLOYMENT FLOORSPACE (USE CLASSES B1/B2/B8), UP TO 375 RESIDENTIAL UNITS (USE CLASS C3), A NEW FOODSTORE (USE CLASS A1), A NEW COMMUNITY FACILITY (USE CLASS D1 OR D2) NEW HARD AND SOFT LANDSCAPING, OPEN SPACE AND PUBLIC REALM, AMENDED SITE VEHICULAR ACCESS INCLUDING

ALTERATIONS TO JUNCTIONS AND PAVEMENTS AT RAILCARE MAINTENANCE DEPOT, STRATFORD ROAD, WOLVERTON FOR MR GARY MORRIS

The Senior Planning Officer introduced the application with a presentation.

The Committee heard that due to the concerns raised in respect of the heritage assets the applicant had provided more information than would ordinarily be made available at the outline application stage, including a design guide.

The Senior Planning Officer confirmed that the recommendation remained to grant the application subject to the conditions and S106 agreement as set out in the Committee report.

It was noted that the development would be delivered in Phases and that due to the relocation of the employment area this would have to be the first phase of the works.

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

- Loss of significant heritage value particularly relating to railways in Great Britain.
- The assessment of work undertaken at the site is factually incorrect.
- The application is in contravention of Local Saved Policy W3
- In accordance with the neighbourhood plan the site should be considered as a whole.
- There is no detail in the plans in respect of the proposals for the employment area.
- The number of residential units far exceeds the original proposals in early discussion and is too high a density.
- The S106 makes provision for schools and health facility expansion yet the existing facilities do not have capacity to expand.
- The site access proposals will lead to local traffic congestion and increase risk of conflict.
- If the application is approved there will be

insufficient school places available in the area

Councillor Miles stated that he would be supportive of the application if the Town Councils concerns were addressed but was mindful of the need to provide a new site for a school.

The Applicants Agent told the Committee that the provision of new employment facilities for the rail works would ensure its continued vitality as existing buildings were falling into disrepair.

The development sought to retain as much of the heritage asset as reasonably possible to reflect the history of Wolverton. The development sought to provide quality affordable housing in a pleasant environment.

Councillor Middleton told the Committee that he and fellow Ward Councillor, Councillor Marland, supported the application however held some of the reservations expressed by the objectors but recognised that on balance the application should be supported as it would deliver much needed facilities to Wolverton.

The Senior Planning Officer confirmed that conditions had been applied at the outline stage to ensure that concerns about retention of the Heritage Assets was paramount as part of the development proposals.

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

Members of the Committee sought clarification as to the validity of the viability assessment confirming the 10% affordable housing provision and approximately 50% of the usual contribution per dwelling that was proposed. It was further commented that the S106 money could be redistributed to provide for more affordable housing, Likewise there were no proposals to provide for Health Facilities.

It was noted that Historic England remained concerned about the proposals in respect of the Heritage Assets, Councillor Petchey further commented that he held concerns due to lack of detail in respect of proposals on the

employment site.

It was noted that an objector had commented that it was proposed to site a bus stop outside his retail unit which would negatively impact on passing trade that he relied on, the Head of Development Control suggested that an informative be considered to advise the Highway Authority of the concern when the finalized plans for siting the bus stop is considered.

Councillor Eastman proposed that an informative to that effect be agreed, this was seconded by Councillor Bint. On being put to the vote the proposal was carried.

Councillor Exon asked whether a condition requiring completion within a timescale that would contribute to the housing allocation and whether this was an option available to the Committee.

The Senior Planning Officer confirmed that whilst it was unclear what would be developed on the employment site it remained with the Committee to consider these matters at the reserved matters stage. In response to a question it was confirmed that the density would be 40 dph.

The Tariff Programme Manager told the Committee that an extensive viability assessment had been conducted by the Councils retained consultants and following a lengthy dialogue the final figures have been agreed. There did remain opportunity to enhance the funds available if that became possible during development phases.

It was confirmed that an alternative distribution was an option that could be negotiated with the developer.

Councillor Legg proposed that the S106 contributions proposed be re distributed to consider using funds proposed for Public Art and Parks and Recreation to enhance the affordable housing provision, this was seconded by Councillor Alexander. On being put to the vote the proposal was carried.

Councillor Exon commented that there

remained a requirement to provide play facilities for mothers and toddlers on the site.

The Head of Development Control confirmed that the Committee could consider a condition requiring proposals for provision of play areas at the reserved matters stage, it should be noted that this could have a financial implication for the Council.

The Committee was further advised that due to the complicated nature of the brownfield site, it may be difficult to require the employment site to be completed within a set timescale to allow for the housing allocation to feature as part of the 5 year housing land supply.

Councillor Exon proposed that a condition be agreed to require play facilities for infants to be included in the reserved matters application. This was seconded by Councillor Bint, on being put to the vote the proposal was carried.

It was confirmed by the Senior Planning Officer that the proposals before the Committee could not be included in the calculations for the 5 year housing land supply due to there being no set timescales for the completion of the development

Councillor Exon proposed that condition 2 be amended to require that the employment facility be completed within 4 years of the permission being granted, this was seconded by Councillor Bint, on being put to the vote the proposal was carried.

The Head of Development Management told the Committee that the provision of affordable housing proposed would be reviewed taking account of actual costings as the development was progressed, Councillor C Wilson proposed that an informative be added to require Officers to consider seeking 25% affordable housing when a review was conducted at a later stage of the development, this was seconded by Councillor Eastman. On being put to the vote the proposal was carried.

Councillor Green proposed that permission be granted only if the full 30% affordable housing in accordance with policy, and a density of 30 dph in accordance with policy, was provided,

this was seconded by Councillor C Wilson, on being put to the vote the motion was lost.

On being put to the vote the motion to grant the application subject to the conditions and S106 agreement as detailed in the Committee report amended as indicated above was carried, and it was;

RESOLVED –

1. That planning permission be granted subject to conditions and a Section 106 agreement as detailed in the committee report subject to the amendments as detailed below;
2. That S106 money allocated to Public Art and Parks and recreation facilities be re-allocated to enhance the affordable housing provision.
3. That a condition be added to include a requirement to provide for plans to include play facilities for infants on the site, at the reserved matters stage.
4. That condition 2 be amended to require the employment phase of the development to be completed within 4 years of the date permission be granted.
5. That when the review of the S106 and affordable housing proposals were conducted officers be mindful of the Committees desire to see a minimum of 25% affordable housing achieved.
6. That an informative be made advising that the Highways Authority be mindful of not siting a bus stop where local traders would be inconvenienced.

**16/00349/FUL ERECTION OF 86 RESIDENTIAL
DWELLINGS WITH ACCESS FROM
TICKFORD STREET, ASSOCIATED CAR
PARKING AND LANDSCAPING,
CONSTRUCTION OF A 72 SPACE CAR
PARK TO SERVE THE ADJACENT ASTON
MARTIN BUILDING AND CHANGE OF USE
OF THREE EXISTING FRONTAGE
BUILDINGS FROM SUI GENERIS TO USE
CLASS B1 AND/OR D1 USE AND ALL
OTHER ANCILLARY AND ENABLING**

**WORKS AT FORMER ASTON MARTIN
LAGONDA SITE, TICKFORD STREET,
NEWPORT PAGNELL FOR REDROW
HOMES SOUTH MIDLANDS**

Councillor Alexander stepped down from the Committee during consideration of the application

The Senior Planning Officer introduced the application with a presentation.

The Committee heard that the determination of the application had previously been deferred to allow negotiation to be undertaken between the applicants and the Town Council to resolve issues in respect of the design of the units, these matters had now been resolved and therefore the recommendation remained to grant the application subject to the conditions and S106 agreement as detailed in the Committee report, subject to a minor amendment to the S106 agreement requiring the refurbishment of the retained parts of the Aston Martin works prior to 50% occupation of the units.

Councillor A Geary proposed that the application be granted as recommended, this was seconded by Councillor Legg.

Councillor A Geary confirmed that he had previously proposed the deferral of the application for two reasons and was now satisfied that both of them had been addressed fully and thanked the developer and planning officers for their work in achieving that position.

On being put to the vote the proposal to grant the application subject to the conditions and a S106 as detailed in the Committee report amended as detailed above was carried unanimously, and it was;

RESOLVED –

That planning permission be granted subject to the conditions as detailed in the Committee report and a S106 agreement amended to require completion of refurbishment prior to 50% occupancy of the dwelling units.

15/00619/FUL

PHYSICAL IMPROVEMENTS TO THE TATTENHOE AND BOTTLEDUMP ROUNDABOUTS AND A NEW ACCESS ONTO THE A421 (PRIORITY LEFT IN/LEFT OUT) TO ACCOMMODATE THE DEVELOPMENT OF LAND IN AYLESBURY VALE DISTRICT REFERENCE 15/00314/AOP AT LAND AT BUCKINGHAM ROAD, TATTENHOE ROUNDABOUT, STANDING WAY TO BOTTLE DUMP ROUNDABOUT FOR SWMK CONSORTIUM

The Senior Planning Officer introduced the application with a presentation.

The Committee heard from objectors who stated that as they were fundamentally opposed to the application to develop the land that these highway improvements sought to service, any approval of a scheme designed to accommodate that development would send the wrong message. It was further commented that the design and layout that was proposed was likely to result in serious traffic congestion as the assessments undertaken were materially flawed. Likewise it was contested that the process for cross-boundary applications had not been adhered to, no environmental impact assessment had been conducted and the appropriate validation process had not been completed.

It was asserted that the traffic assessment was inaccurate and based upon flawed data.

The Senior Planning Officer told the Committee that the proposals did not require planning permission, but would ordinarily be dealt with through a S278 agreement, however and application had been submitted and therefore the Committee was required to consider and determine it, it was however recommended that should the Committee grant the application they add a requirement that the developer enters a S278 agreement with Milton Keynes Council.

The Legal Officer explained that usual practice where there was a cross boundary application was for the Authority that was not in receipt of a

fee to delegate authority to the neighbouring authority thereby ensuring decisions are made on a whole scheme.

Alternatively an Authority may choose to retain the application and seek to address the impact on its area. If the works were related solely to improvement of the highway this would not require permission, however, in this instance it was not possible to determine from the plans what the extent of the works would be and therefore whether or not planning permission was required.

It was further confirmed by the Legal Officer that in the event that the Council delegated the power to determine the application to the neighbouring authority it could be on the basis that a S278 agreement was entered once the developer approached the Council as the 'Highway Authority'.

The Senior Planning Officer confirmed that her recommendation remained to grant the application subject to the conditions as detailed in the Committee report and subject to a S278 agreement being entered.

Councillor A Gary proposed that the Officer recommendation be agreed, this was seconded by Councillor Exon.

Members of the Committee recognised that the detail within the application was flawed with errors in the description of the lay out of the 'bottle dump' roundabout in particular. It was further commented that the application was in isolation and proved difficult to determine without first knowing the outcome of the decision on the application for the associated housing development. It was also noted that the application was titled 'physical improvements to Tattenhoe and bottledump roundabouts' yet failed to provide detail of what was proposed for the roundabouts and concentrated on access arrangements to the site of the adjacent proposed development.

The Head of Development Control confirmed that in the event that the application was not determined by the Committee the S278 agreement would have to be made with Milton Keynes Highways Authority and therefore there

was no risk that the scheme could go ahead without the Council maintaining control.

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

Councillor A Geary proposed that the determination of the application be deferred to allow further information to be provided in respect of the modelling process used to assess the traffic, and the implications and processes for delegating the decision to Aylesbury Vale District Council. This was seconded by Councillor Exon, on being put to the vote the proposal was carried unanimously, and it was;

RESOLVED –

That determination of the application be deferred to allow for further information to be provided in respect of the modelling processes used to complete the transport assessment and the implications and process to delegate the authority to determine the application to Aylesbury Vale District Council.

DCC50 15/00223/CONS SOUTH WEST MILTON KEYNES
CONSULTATION

The Committee considered a report in respect of a Consultation on application 15/00223/CONS.

The Senior Planning Officer told the Committee that the purpose of the matter being considered by the Committee was that of a consultation as an adjoining Authority to an application within the Aylesbury Vale Authority area. It was reported that there was an associated application (detail above) for Road improvement works and access which would fall within Milton Keynes Council Area, which was to be determined separately.

The Committee was told that the Officers recommendation was that Milton Keynes Council submit a formal objection to the proposal for the reasons stated in the report.

The Committee heard from Councillor Witt (Newton Longville Parish Council) Mr S Heath, Councillor E Thomas (West Bletchley Council), Ms. E Rawlinson (Chair of Residents Association), Councillor J Nicholas (Shenley Brook End and Tattenhoe Parish Council), Ms A Ravn-Aagaard (Chair of Bletchley Park Residents Association), Mr A Franks, Councillor K Geaney(Shenley Brook End and Tattenhoe

Parish Council), Mr M Hyde (Applicants Agent) Councillor Clancy Councillor Wales and Councillor Geaney.

Speakers made reference to the following issues;

- The existing facilities at Milton Keynes Hospital did not have capacity for the increase in population and no funding would be made available through the application to improve facilities.
- The development would result in significant traffic problems for existing communities.
- There has been a lack of disclosure of traffic data between the developer and local authorities resulting in significant uncertainty as to the potential impact of the proposed development and thereby make a decision process impractical.
- The A421 did not have the capacity to take the additional traffic that this development would create.
- Development already underway within Milton Keynes Borough on land abutting the A421 should have been taken into account when assessing the transport implications of this development.
- There would also be unsustainable increase in traffic on the V1 and V2 grid roads.
- There was uncertainty as to the legal position of proposed highways works.
- There is a misuse of models in determining the traffic flow and potential impact from the development.
- The traffic plan relies on a northern flow of traffic, which was unrealistic when considering the financial benefit of using Bletchley or Leighton Buzzard for commuting to London.
- Any objection to the scheme should be supported by evidence as Aylesbury Vale do not presently have a local plan and may have no alternative but to approve the application which would have significant detrimental impact on Bletchley and surrounding Communities.
- Any plans should take account of the proposed Oxford/Cambridge Expressway and East/West railway.
- The potential S106 contributions are unlikely to be adequate to address the full infrastructure requirements of the proposed development.

- The proposed development did not provide for infrastructure before expansion.

The applicant's agent told the Committee that duplicate applications had been submitted to Aylesbury Vale District Council and Milton Keynes Borough Council two years previously and discussions had been had with both authorities to seek to address the issues identified. This resulted in revisions having been submitted in August 2016 to address those features.

The Committee heard that from the outset the Developer had acknowledged that there would be implications for Milton Keynes and that they would require mitigation, however the S106 contribution would be with Aylesbury Vale District Council to accord with relevant regulations and that it was for the two Authorities to negotiate settlements that complied with the regulations.

The Committee heard representations from Councillors Clancy, Wales and Geaney reiterating the points raised by previous speakers.

Councillor A Geary asked the Committee to consider the Senior Planning Officer's recommendation at paragraph 6.0 of the committee report as this provided a succinct summary of the objections raised in so far as;

'The application fails to take account of the level of services and facilities required to meet the day-to-day needs of its future residents and fails to make a proportionate contribution towards an increase in the capacity of existing facilities within Milton Keynes to satisfy these increased demands and to mitigate the impact of the proposed development on existing services and infrastructure in Milton Keynes'

He further advised the Committee that he welcomed the recommendation that the Committee reserve the right to make further comment as the process progresses, and suggested that the Chair and Vice Chairs take responsibility for discussing any future issues with Ward Councillors and provide feedback as required, rather than have the matter put before the Committee.

Councillor A Geary also sought the Committees approval that he or a subsequent Chair or responsible Cabinet Member, attend any meeting of the Aylesbury Vale District Council Development Control Committee to represent the views of Milton Keynes Council.

Members of the Committee confirmed their support for the recommendation to object to the application on the grounds identified in the report and the comments made to the Committee, but urged the Officers to ensure that the objections were evidence

based and in the terms of the relevant policies held by Aylesbury Vale District Council.

RESOLVED –

1. That the Committee support the recommendation to object to the application, taking further account of the impact on Health Facilities and the Traffic implications for the immediate vicinity and the wider negative impact on the existing residents of Milton Keynes whose existing services would face further and unsustainable demand.
2. That objections be made in written form taking account of relevant policies held by Aylesbury Vale District Council.
3. That any written representations be circulated to the Committee and be agreed with the Chair and Vice Chairs of the Committee in advance of submission to Aylesbury Vale District Council.
4. That the Chair and Vice Chairs write a joint letter in support of the objections on behalf of the Committee.
5. That the Chair or any subsequent Chair and/or the responsible Cabinet Member be requested to attend any relevant meeting of Aylesbury Vale District Council Development Control committee to make representations on behalf of the Committee and Council.

THE CHAIR CLOSED THE MEETING AT 10:40PM