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Meeting of the

PLANNING, INFRASTRUCTURE & TRANSPORT

COMMITTEE

AGENDA

Monday 1 July 2024

6.30PM

Springfield Centre, Springfield Boulevard, Springfield

Committee Members:

Cllr L Adura

Cllr R Golding

Cllr P Halton-Davis

Cllr V Dixon

Cllr B Greenwood (Chair)

Cllr K Kavarana

AGENDA

1. To receive

Apologies for Absence
Declarations of Interest
Members of the Public Present

2. Minutes of the Previous Meeting

Page 5

Committee are invited to approve the minutes of the last meeting, held on 3 June 2024, previously circulated and therefore taken as read.

3. Public Involvement – Deputations, Petitions and Questions

Members of the public may make representations in respect of the business on the agenda.

4. Consultations – including any applications or consultations received after the publication of the Agenda that must be considered before the date of the next meeting. Any additional items that will be considered will be published on the day of the meeting on the Campbell Park Community Council website.

a. Planning Applications

None

Notifications:

i. 24/01234/CLUE

Proposal: Certificate of Lawfulness for the existing house as 5 bedroom House in Multiple Occupation (C4) At: 179 Fishermead Boulevard Fishermead Milton Keynes MK6 2AA

Deadline: n/a (received 7 June)

Planning Officer: Sonia James

b. Licensing

None

c. Update on Past Consultations

The Committee is invited to note the outcome of the following applications.

Permitted:

- i. 24/01138/NMA - Site At Campbell Park H3 And H4 Overgate Campbell Park Milton Keynes
- ii. 24/00691/FUL - Oldbrook First School Illingworth Place Oldbrook Milton Keynes MK6 2NH

Refused:

None

Not required:

- iii. 24/00936/PRIOR - 35 Wardle Place Oldbrook Milton Keynes MK6 2XS

d. Appeals

None

e. Planning Enforcement

The Committee is invited to receive any reports relating to Planning Enforcement.

5. General Consultations

i. Extension and variation of the Alcohol Public Space Protection Order (PSPO) Page 11

MK City Council are currently reviewing the current Alcohol Public Space Protection Order (PSPO), which is due to expire in October 2024. MKCC would like to extend and vary this Order for another three years, so are consulting with partner organisations as part of this process. Across the Borough of Milton Keynes there are a number of parishes, within MK, where the PSPO is currently in force. Regulations are in place to restrict alcohol consumption in those areas, with the aim to reduce or deter antisocial behaviour.

To consider doing this, and to comply with the legislation, MKCC are required to consult and gather evidence from the police, parishes, council departments and external agencies. MKCC would also like to vary the Order to include the whole of the Great Linford Parish - a copy of the proposed PSPO document with Great Linford Parish included is attached.

As part of the process, MKCC are also starting a public consultation on the Order which is now live. The consultation will close on Friday 16 August, so that there is enough time to collate all the evidence ready for the Delegated Decision meeting in September. The consultation can be found by following this link: <https://forms.office.com/e/n0FcDEdGSMor>

Any other feedback can be sent via email to PSPO@milton-keynes.gov.uk by Friday 16 August 2024.

You can find out more information on the PSPO and the current areas included at www.milton-keynes.gov.uk/alcohol-pspo.

6. Date of Next Meeting

Monday 12 August 2024 at 6:30pm

Any consultations requiring a response before this meeting will be considered by Council on 23 July.

**The minutes of the Planning, Infrastructure & Transport Committee of
Campbell Park Community Council held**

on Monday 3 June 2024

at the Springfield Centre, Springfield Boulevard, Springfield

commencing at 6.30pm

This meeting was open to the Public

Members Present

Cllr L Adura (arrived at 18:35)

Cllr R Golding

Cllr P Halton-Davis

Cllr V Dixon

Cllr B Greenwood (Chair)

In attendance

T Jones, Community Officer/Committee Clerk

01/24

Apologies for Absence

Cllr K Kavarana – personal commitment

02/24

Declarations of Interest

None

03/24

Members of the Public Present

None

04/24

Appointment of Vice Chairperson

The Committee resolved to elect Cllr Golding as Vice Chairperson to May 2025.

05/24

Appointment of Lead Members

Committee resolved that it was not necessary to appoint any Lead Members currently, and would appoint Lead Members as and when a need arose.

- 06/24 Minutes of the Previous Meeting**
Committee approved the minutes of the last meeting, held on 8 May 2024, previously circulated and therefore taken as read.
- 07/24 Public Involvement – Deputations, Petitions and Questions**
None
- 08/24 Consultations – including any applications or consultations received after the publication of the Agenda that must be considered before the date of the next meeting. Any additional items that will be considered will be published on the day of the meeting on the Campbell Park Community Council website.**

a. Planning Applications

i. 24/00691/FUL

Proposal: Heating system replacement with installation of 2no. air source heat pumps and associated works (Regulation 3 application under the Town and Country Planning General Regulations 1992)

At: Oldbrook First School Illingworth Place Oldbrook Milton Keynes MK6 2NH

Deadline: 7 June Planning Officer: Sonia James

Committee resolved to make no comment.

ii. 24/01131/HOU

Proposal: The erection of a single storey rear extension with roof lights, a first floor side extension over the existing garage, and a front porch including W/C (resubmission 23/00404/HOU) Add a small side window to the porch of a previously approved application. Ref 23/00494/HOU The application was approved by letter dated 22nd May 2023. This submission is being used under the old 'Free Go' approach.

At: 82 The Boundary Oldbrook Milton Keynes MK6 2HW

Deadline: 20 June Planning Officer: Suleman Uddin

Committee resolved to make no comment.

The following consultation/s were tabled having been received after the publication of the agenda but requiring a decision before the next meeting.

iii. 24/01170/ADV

Proposal: Advertisement consent for the proposed installation of 1x internally illuminated flagpole sign (5.98 metres by 2.10 metres)

At: Lidl Uk Gmbh Oldbrook Boulevard Oldbrook Milton Keynes MK6 2YA

Deadline: 25 June Planning Officer: Sonia James

Committee resolved to make no comment.

Cllr Adura arrived during the course of this item.

Notifications:

iv. **24/01064/DISCON**

Proposal: Approval of details required by conditions 12 (Arboricultural Method Statement) and 20 (Dust) of permission ref. 23/01961/FUL At: Charlestown House Snowdon Drive Winterhill Milton Keynes MK6 1BU

Deadline: n/a (received 14 May)

Planning Officer: Suleman Uddin

Committee resolved to note this proposal.

v. **24/01109/DISCON**

Proposal: Approval of details required by conditions 3 (preliminary ecological appraisal), 4(lightning strategy), 5(ecological enhancement plan) and 6(surface water drainage)] of permission ref. 23/02172/FUL At: Warbler On The Wharf Campbell Wharf Marina Frobisher Gate Newlands Milton Keynes

Deadline: n/a (received 17 May)

Planning Officer: Suleman Uddin

Committee resolved to note this proposal.

vi. **24/01004/CLUP**

Proposal: Certificate of lawfulness for the proposed installation of a single story timber clad garden building to be used as a home office
At: 5 Cloebury Paddock Woolstone Milton Keynes MK15 0HP

Deadline: n/a (received 22 May)

Planning Officer: Helen Pinder

Committee resolved to make no comment.

b. Licensing

i. **New premises licence application LICENSING ACT 2003 - Lidl, Oldbrook Boulevard, Oldbrook, Milton Keynes, MK6 2YA**

Application Details: Supply of alcohol (off sales) Monday to Sunday 07:00 – 23:00

Full details of the application can be viewed via the Licensing Register at the Civic Offices of the Council. This is accessible Mondays to Thursdays between the hours of 9.00 am to 5.00 pm, and Fridays 9.00 am to 4.00 pm (excluding Bank Holidays).

A copy of the application is also available to view online at:- <https://elicensing.milton-keynes.gov.uk/elr/start.aspx>

Committee resolved to make no comment.

The following consultation/s were tabled having been received after the publication of the agenda but requiring a decision before the next meeting.

ii. **Street Trading Consent Renewal**
Best Kebab 2, Springfield Boulevard, Springfield, Ref 135019

Please note licence holder is changing from Mehmet Hamarat to Erdal Akdag
To sell: Hot takeaway food

	Hours applied for
Monday to Sunday	17:00 – 22:30

Committee resolved to make no comment.

Committee noted the following licensing application/s was responded to with a response of ‘no comment’, through the delegated powers given to the Committee Clerk:

iii. **Boroughwide Street Trading Consent – Renewal - Maya’s Street Food Reg AO05 OAJ**
Ref 161898

for 1 van to trade Boroughwide for the following times: **Tuesday to Sunday 17:00 to 20:00**
Boroughwide consents allow for no more than 20 minutes trading in any 100 metre part of any one Consent Street on any one day.

iv. **Street Trading Consent Boroughwide Variation - Mr Guci Ices Ltd, R481 OSH, Ref 1695571**

For 1 ice cream van to trade Boroughwide for the following times:

	Existing hours	Hours applied for
Monday – Sunday	15:00 – 18:00	12:00 – 21:00

Boroughwide consents allow for no more than 20 minutes trading in any 100 metre part of any one Consent Street on any one day.

c. **Update on Past Consultations**

The Committee noted the outcome of the following applications.

Permitted:

- i. 23/02414/HOU - 42 Padstow Avenue Fishermead Milton Keynes MK6 2ES
- ii. 24/00544/FUL - Unit 1 Snowdon Drive Winterhill Milton Keynes MK6 1AP
- iii. 24/00545/ADV - Unit 1 Snowdon Drive Winterhill Milton Keynes MK6 1AP
- iv. 24/00661/ADV – (split decision - Two illuminated canopy mounted fascia signs (S1) One illuminated column mounted poster display unit (S3) One small illuminated wall mounted billboard (S4) Two large illuminated wall mounted billboards (S5) One wall mounted sign (S6)) Lidl Uk Gmbh And Units 1-6 Oldbrook Boulevard Oldbrook Milton Keynes MK6 2YA
- v. 23/02877/FULM - Lidl And Units 1-6 Oldbrook Boulevard Oldbrook Milton Keynes MK6 2YA
- vi. 24/00720/HOU - 31 Carteret Close Willen Milton Keynes MK15 9LD
- vii. 24/00658/HOU - 90 Pattison Lane Woolstone Milton Keynes MK15 0AF

Refused:

- viii. 24/00601/CLUE - 179 Fishermead Boulevard Fishermead Milton Keynes MK6 2AA
- ix. 24/00661/ADV – (split decision - One illuminated Flagpole Sign (S2) Lidl Uk Gmbh And Units 1-6 Oldbrook Boulevard Oldbrook Milton Keynes MK6 2YA

d. Appeals

- i. APPEAL BY Mr Abdul Mohamed Riyes AGAINST REFUSAL FOR
Erection of two-storey side and rear extension, conversion of garage, single storey front,
rear and side extension and extension of dropped kerb
AT 80 Century Avenue, Oldbrook, Milton Keynes, MK6 2UH,

APPEAL START DATE: 16th May 2024

The Secretary of State is conducting the above appeal.

The Council's reason(s) for refusing the above application(s) are as follows:

By virtue of the size of the proposed extensions in combination with the existing size and shape of the garden, the proposal would result in a detrimental impact on the residential amenity of current and future occupiers. The remaining garden space would be severely limited and not accord with the guidance set out in the New Residential Design Guide SPD. The proposal would fail to comply with Policies D3 and D5 of Plan:MK and Paragraph 4.13 Outside Spaces - Family Housing 4.13.1 of the New Residential Design Guide.

The proposed development, by virtue of its location in relation to neighbouring properties, would result in a development that would create a significant overlooking impact that would adversely affect neighbouring privacy for the occupants of the neighbouring dwelling at no. 78 Century Avenue, to the detriment of their residential amenity. The proposed development would therefore be contrary to Policy D5 of Plan:MK and Section 12 of the National Planning Policy Framework 2023.

The Planning Inspector has asked me to notify you about this appeal as we notified you or you commented on the earlier application. It has been decided that this appeal will be dealt with on the basis of written representations.

There is no opportunity for you to comment on the appeal however any comments you made on the original application will be forwarded to the Planning Inspectorate and the Inspector responsible for the appeal will take full account of these representations.

e. Planning Enforcement

The Committee received and noted the reports relating to Planning Enforcement.

09/24 General Consultations

None received.

10/24 Date of Next Meeting

Monday 1 July 2024 at 6:30pm

Milton Keynes City Council

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

Part 4, Section 59

Milton Keynes Public Space Protection Order 2017

PUBLIC SPACE PROTECTION ORDER (Alcohol)

**This Order may be cited as the Milton Keynes Public
Space Protection Order No.3.**

This Order is made by Milton Keynes City Council (“the Council”) in exercise of its powers under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) hereby makes the following Order:

1. The Order is made on the xxxxxxxx 2024 and shall have effect for a period of 3 years thereafter, unless extended by further orders under the Council’s statutory powers.
2. The Order relates to the Parishes of Milton Keynes listed in Schedule 1 (“the Restricted Area”).
3. The effect of the Order is to give a constable or an Authorised Officer the power to.
 - require a person to not consume alcohol or anything which they reasonably believe to be alcohol
 - require a person surrender anything in their possession which is, or which they reasonably believe to be, alcohol or a container for alcohol
4. The Council is satisfied that the conditions set out in Section 59 of the Act namely that the Prohibited Activities carried on within the Restricted Area have had a detrimental effect on the quality of life of those in the locality or will have such an effect and that the effect or likely effect of the Prohibited Activities will be of a persistent or continuing nature such as to make the Activities unreasonable and justifies the restrictions imposed by this Order.
5. The Order is available for inspection on the Council’s website

Penalty

6. It is an offence for a person without reasonable excuse -
 - a) To do anything that the person is prohibited from doing by a public space protection order, or

- b) To fail to comply with a requirement to which the person is subject under a public space protection order.

A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 2 (£500) on the standard scale

Fixed Penalty Notices

7. A constable or Authorised Officer may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence in relation to this public space protection order.

A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to a local authority specified in the notice.

Failure to pay a fixed penalty may lead to prosecution

Appeals

8. Any challenge to this order must be made to the High Court by an interested person within six weeks of it being made, extended, or varied. An interested person is someone who lives in, regularly works in, or visits the restricted area. Any such interested person may apply to the High Court within 6 weeks from the date on which this Order on the grounds that; Interested persons can challenge the validity of this order on two grounds:

- a) That Milton Keynes Local Authority did not have power to make the order, or to include particular prohibitions or requirements
- b) That Milton Keynes Local Authority did not meet one of the requirements of the legislation; for instance, consultation has not been complied with.

When an application is made, the High Court can decide to suspend the operation of the order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the order, quash it or vary it.

The Common Seal of Milton Keynes Local Authority was affixed in the presence of

.....
Head of Legal Services

.....
Date

SCHEDULE 1 – RESTRICTED AREAS

Restricted Areas

The areas are shown on the map and are listed below:


- Central Milton Keynes Parish
- Campbell Park Parish
- Kents Hill, Monkston Park and Brinklow Parish
- Newport Pagnell Parish
- Olney Parish
- Shenley Brook End & Tattenhoe Parish
- Stony Stratford Parish
- Bletchley & Fenny Stratford
- West Bletchley
- Wolverton and Greenleys Parish
- Bradwell Parish
- Stantonbury Parish
- Woughton Parish
- Old Woughton Parish
- **Great Linford Parish**

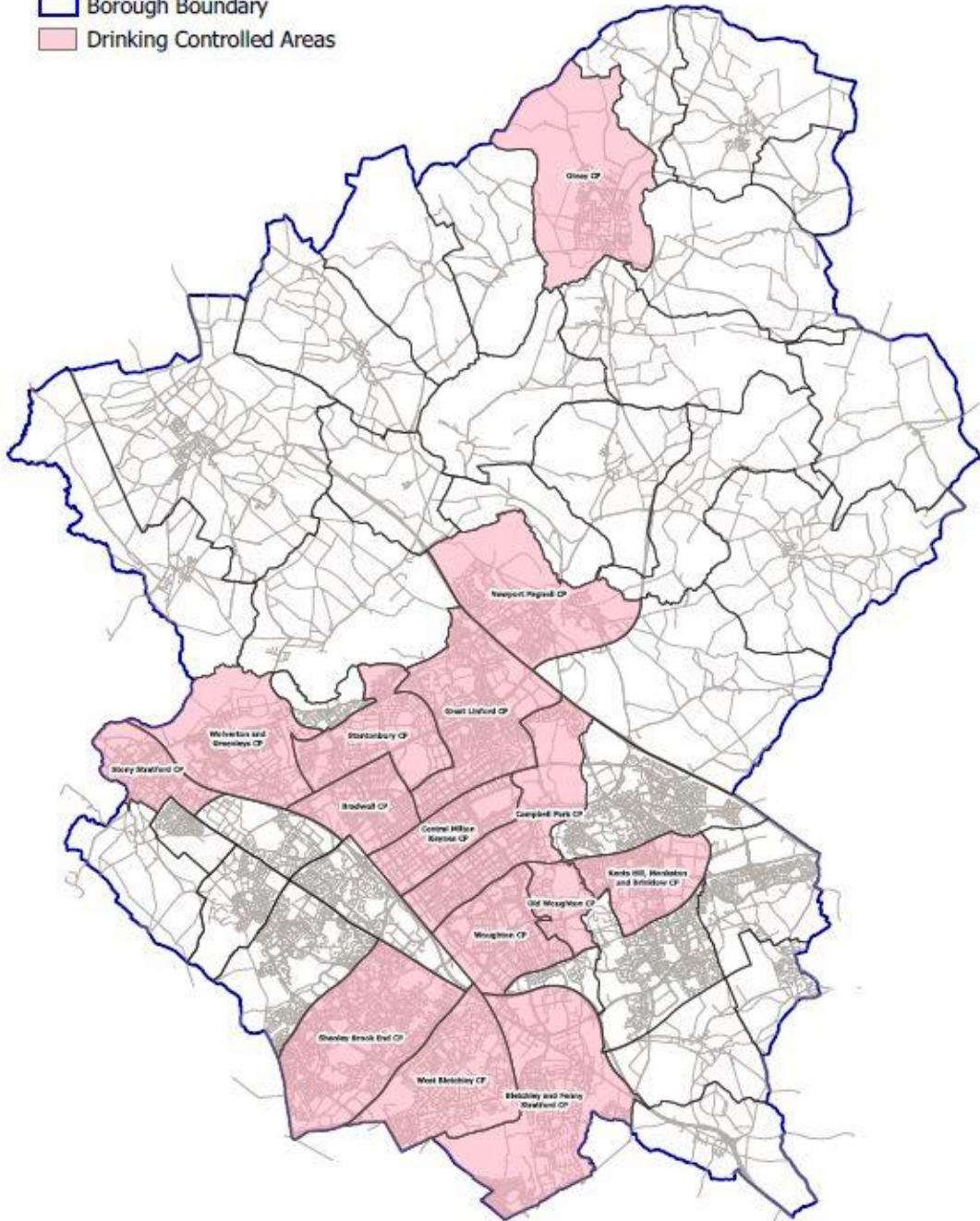
excluding:

- (a) premises (other than council-operated licensed premises) authorised by a premises licence to be used for the supply of alcohol;
 - (b) premises authorised by a club premises certificate to be used by the club for the supply of alcohol;
 - (c) a place within the curtilage of premises within paragraph (a) or (b);
 - (d) premises which by virtue of Part 5 of the Licensing Act 2003 may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been so used within the 30 minutes before that time;
 - (e) a place where facilities or activities relating to the sale or consumption of alcohol are at the relevant time permitted by virtue of a permission granted under section 115E of the Highways Act 1980 (highway-related uses). council-operated licensed premises—
- (a) when the premises are being used for the supply of alcohol, or
- (b) within 30 minutes after the end of a period during which the premises have been used for the supply of alcohol.

Map

Public Consultation on the Alcohol Public Space Protection Order (PSPO)

-  Borough Boundary
-  Drinking Controlled Areas



SCHEDULE 2 – DEFINITIONS

In this Order, except where the context otherwise requires:

“The Council “means the Council of the Borough of Milton Keynes “

“Public space” means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission. This includes but is not limited to; car parks; sports fields; playing fields; parks; recreations grounds, public highways including verges and footways; public open space land and communal land whether council owned or owned by any landowner.

“Interested Person” means an individual who lives in the restricted area or who regularly works in or visits that area “

“Authorised Officer” means an employee, partnership agency or contractor of the Council who is authorised in writing by Milton Keynes City Council for the purposes of giving directions under the Order. For example, a Parks Trust Officer or Police Community Support Officer (PCSO) in addition to a police constable can enforce the Order and issue fixed penalty notices.

DRAFT