

Date: 23 June 2005

TO: All Members of the Development
Control Committee
FOR ATTENDANCE

TO: All Other Members of the Council
FOR INFORMATION

Dear Sir/Madam

Your attendance is requested at a meeting of the **DEVELOPMENT CONTROL COMMITTEE** to be held in the **CORN EXCHANGE, FARINGDON** on **Monday, 4th July, 2005** at **6.30 pm**.

Yours faithfully

Terry Stock
Chief Executive

Members are reminded of the provisions contained in Part 2 of the Local Code of Conduct, and Standing Order 34 regarding the declaration of Personal and Prejudicial Interests.

A G E N D A

SECTION I (Open to the Public including the Press)

A Large print version of this agenda and any background papers referred to may be inspected by prior arrangement with Carole Nicholl, Democratic Services Officer on telephone number (01235) 547631.

Map and Vision

(Page 8)

A map showing the location of the venue for this meeting, together with a copy the Council Vision are attached.

1. Notification of Substitutes and Apologies for Absence

To record the attendance of Substitute Members, if any, who have been authorised to attend in accordance with the provisions of Standing Order 17(1), with notification having been given to the proper Officer before the start of the meeting and to receive apologies for absence.

2. Minutes

(Pages 9 - 20)

To adopt and sign as a correct record the Minutes of the Meeting of the Development Control Committee held on 6 June 2005.

3. Declarations of Interest

To receive any declarations of Personal or Personal and Prejudicial Interests in respect of items on the agenda for this meeting.

In accordance with Part 2 of the Local Code of Conduct and the provisions of Standing Order 34, any Member with a personal interest must disclose the existence and nature of that interest to the meeting prior to the matter being debated. Where that personal interest is also a prejudicial interest, then the Member must withdraw from the room in which the meeting is being held and not seek improperly to influence any decision about the matter unless he/she has obtained a dispensation from the Standards Committee.

4. Urgent Business and Chair's Announcements

To receive notification of any matters, which the Chair determines, should be considered as urgent business and the special circumstances, which have made the matters urgent, and to receive any announcements from the Chair.

5. Statements and Petitions from the Public Under Standing Order 32

Any statements and/or petitions from the public under Standing Order 32 will be made or presented at the meeting.

6. Questions from the Public Under Standing Order 32

Any questions from members of the public under Standing Order 32 will be asked at the meeting.

7. Statements and Petitions from the Public under Standing Order 33

Any statements and/or petitions from members of the public under Standing Order 33, relating to planning applications, will be made or presented at the meeting.

8. Materials

To consider any materials submitted prior to the meeting of the Committee.

ANY MATERIALS SUBMITTED WILL BE ON DISPLAY PRIOR TO THE MEETING.

9. Appeals

Lodged

The following appeals have been lodged with the Planning Inspectorate:-

- (i) Appeal by Mr Mijrat Terzi against the Council's decision to refuse to permit a retrospective application for an arbour and additional pontoons on land at 20 South Quay, Abingdon. (ABG/17715/1);
- (ii) Appeal by Builders Ede Limited against the Council's decision to refuse to permit the erection of 18 one bed apartments, 21 two bed apartments and 23 houses on land adjacent the Police Headquarters, off Collwell Drive, Abingdon (ABG/17140/1).

Dismissed

The following appeals have been dismissed by the Planning Inspectorate: -

- (i) Appeal by Esmail Babaahmady against the Council's decision to refuse to permit the creation of a first floor on an existing bungalow at 61 Hurst Rise Road, North Hinksey (NHI/9096/3). The decision to refuse planning permission was made by the Strategic Director under powers delegated to him.

The Inspector considered that the main issues in this case, were the impact of the proposed development on the living conditions of the occupiers of No.63 Hurst Rise Road with special regard to visual impact; and whether the submitted plans provided a sufficiently accurate basis on which planning permission might be granted.

The Inspector considered that the proposed development, given its notable proximity to the boundary with No.63 would be sufficiently beyond guideline figures as to be over dominant and intrusive when seen from this property. Added weight was given to this view in that No.63 had a lower lying element abutting the boundary with the appeal property. The proposed property would loom above this area in a domineering fashion and appear greater than single storey in height. Whilst the effect of this might currently be limited by existing garden screening, there was no guarantee that this would remain in place in perpetuity. The Inspector therefore concluded that the proposed development would detract from the living conditions of No.63 with special reference to visual impact and would be in conflict with relevant planning policies.

With regard to the accuracy of the plans, the Inspector noted that there were several instances where measurements on the application plans and elevations varied from one drawing to another. The Inspector considered that cumulatively these did not provide a sufficiently accurate basis upon which planning permission might be granted.

The Inspector therefore dismissed the appeal. No reference to cost was made with the decision letter.

- (ii) Appeal by Mr and Mrs Earl against the Council's decision to refuse to permit a first floor extension over existing garage to provide a studio at 1 St James Road, Radley (RAD/15667/1). The decision to refuse planning permission was made by the Strategic Director under powers delegated to him.

The Inspector considered that the main issue in this case was the effect of the proposal on the appearance of the building and thus on the area on which it stood.

The proposal would add a first floor under a pitched roof with a wide dormer window extending virtually the entire width of the front elevation. Whilst the Inspector acknowledged that the area comprised a very considerable diversity of building form, designs and sizes, in the Inspector's judgement the proposal would stand out as a particularly incongruous structure at a very conspicuous position near the entrance to the site. Not only would its very limited width combine with its considerable height and over dominant dormer to create visually awkward proportions, but it would stand immediately next to number 3 St James Terrace, part of a building of horizontal emphasis and considerable bulk. The Inspector considered that the smaller scale of the prominent building proposed would appear most unsatisfactory and visually uncomfortable. The Inspector therefore concluded that the proposal would harm the appearance of the existing building and that of its surroundings, contrary to planning policies.

The Inspector therefore dismissed the appeal. No reference to costs was made with the appeal decision.

- (iii) Appeal by BP UK Limited against the Council's decision to refuse to permit a totem sign at Buckland Service Station, Oxford Road, Buckland (BUC/3698/24-A). The decision to

refuse planning permission was made by the Strategic Director under powers delegated to him.

The Inspector considered that the main issue in this case was the effect of the sign on the amenity and public safety of the area.

The Inspector considered that the proposal would substantially increase the service area of the sign and as a consequence it would result in a much more prominent sign than that existing at present. In such circumstances the proposed sign, particularly because of its height, would stand out as an unacceptably intrusive feature in this very pleasant rural setting, especially at night when illuminated. The Inspector considered that the existing total sign was visible from sufficient distances away to enable drivers from either direction exercising due care and attention to signal any intention to turn and carry out the manoeuvre without endangering other road users. In these circumstances, the Inspector did not consider that there was any justification for overriding the above amenity objections on public safety grounds.

The Inspector therefore dismissed the appeal. No reference to costs was made with the appeal decision.

- (iv) Appeal by Tape Crown Limited against an enforcement notice, involving the erection of a new building on land east of Coxwell Road, Faringdon (GCO/8275/2-E) requiring:-
- (a) the cessation of all further works on or to the building;
 - (b) the removal of the building and hard-standing; and
 - (c) the removal from the land all building materials, building equipment and rubble arising from compliance with requirement (b) and restoration of the land to its original condition before the breach took place.

The Inspector concluded that the development exceeded the size limit set out for permitted development in Class A of Part 6 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 and constituted a building not designed for agricultural purposes. The development would therefore require express planning permission which it did not have. Accordingly, the appeal failed under Ground C. On consideration of the deemed application, the Inspector concluded that the design of the building possessed an industrial or commercial character of a kind not normally found in the countryside. It was therefore incongruous in its rural setting and Policy EN4 of the Local Plan precluded development which would unacceptably damage the local landscape. The Inspector concluded that the development carried out was contrary to the aims and objectives of national and local planning policies and in the absence of any material circumstances, sufficient to outweigh the objection, should not be granted permission. With regard to the requirements of the notice, the Inspector did not consider these excessive, although given that a substantial building was to be removed, together with substantial amounts of hardcore, the Inspector agreed that the period of one month specified in the notice to comply with its requirements was too short. The Inspector therefore dismissed the appeal and upheld the Enforcement Notice subject to it being varied by deleting the words "one month" and substituting them with "six months" in paragraph 6 and refused planning permission on the application deemed to have been made. No reference to costs was made with the appeal decision.

Recommendation

that the agenda report be received.

10. Forthcoming Public Inquiries and Hearings

(Pages 21 - 23)

A list of forthcoming public inquiries and hearings is presented.

Recommendation

that the report be received.

PLANNING APPLICATIONS

Local Government (Access to Information) Act 1985: The Background Papers for the following applications are available for inspection at the Council Offices, The Abbey House, Abingdon during normal office hours. They include the Oxfordshire Structure Plan, the Adopted Vale of White Horse Local Plan (November 1999) and all representations received as a result of consultation.

To receive and consider report 34/04 detailing the current applications. Any further information received following publication of this agenda will be reported at the meeting.

Application may be considered in a different order in view of the Council's arrangements for public speaking at meetings.

11. **SAH/741/5 - Mr M Winters. Change of use of redundant farm building to B1 use and former cart shed to garaging. (Re-submission) Land adjacent to Manor Farm House, Church Lane, Dry Sandford.**
(Pages 24 - 32)
(Wards Affected: Marcham and Shippon)
12. **GFA/4905/6-X – Cover Construction Co Ltd. Demolition of existing house and construction of 9 houses with revised access. The Willow House, 18 Coxwell Road, Faringdon.**
(Pages 33 - 44)
(Wards Affected: Faringdon and The Coxwells)
13. **NHI/7093/1 – S & H Homes. Demolition of existing dwelling. Erection of five flats with associated car parking. 62 Yarnells Hill, North Hinksey.**
(Pages 45 - 55)
(Wards Affected: North Hinksey and Wytham)
14. **KEN/8988/4 – Mr Thompson. Demolition of existing garage/workshop building and erection of a detached single bed house. 6 Kennington Road, Kennington.**
(Pages 56 - 60)
(Wards Affected: Kennington and South Hinksey)
15. **APT/10011/22 – Mr & Mrs S Jeffreys. Retrospective application for 1.9m high deer fence, Appleton Manor, Easton Road, Appleton**
(Pages 61 - 64)
(Wards Affected: Appleton and Cumnor)
16. **CUM/11898/1 – M Glen. Retrospective application for a vehicle access (Land to the rear of 13 Nobles Close), 13, Nobles Close, Botley (Cumnor Parish)**
(Pages 65 - 72)
(Wards Affected: Appleton and Cumnor)
17. **RAD/15714/7 & RAD/15714/8-LB – Mr& Mrs P Gore. Link house to rear annexe via single storey extension with new lounge and 4th Bedroom. Erection of new garage “Spinneys”, 51, Lower Radley, Abingdon.**

(Page 73)

(Wards Affected: Radley)

18. **SUN/17133/1 – Drs N & Mrs P Elwig. Proposed rear extension, new porch and internal alterations, Dairy Cottage, 3, Church Farm, Sunningwell.**

(Pages 74 - 83)

(Wards Affected: Sunningwell and Wootton)

19. **SHI/17672/5 – Mr D Matthews. Erection of replacement dwelling and garage (Retrospective), Hazelwood, Spring Copse, Hinksey Hill.**

(Pages 84 - 91)

(Wards Affected: Kennington and South Hinksey)

20. **NHI/18135/1 – Cranbourne Homes Ltd. Demolition of existing house and garage. Construction of two semi-detached houses and four flats. 2 Yarnells Hill, North Hinksey**

(Pages 92 - 104)

(Wards Affected: North Hinksey and Wytham)

21. **MAR/18842 – Elford Homes. Demolition of house and outbuildings. Construction of five dwellings with alterations at the junction of Packhorse Lane and Mill Road to improve vision 3 & 5 Mill Road, Marcham.**

(Pages 105 - 112)

22. **ABG/19083 – Mr & Mrs Lynch. Erection of a two storey flank extension encompassing the existing garage and a two storey rear extension. 3 Warwick Close, Abingdon.**

(Pages 113 - 117)

(Wards Affected: Abingdon Northcourt)

23. **Exclusion of the Public, including the Press**

The Chair to move that in accordance with Section 100A(4) of the Local Government Act 1972, the public, including the press, be excluded from the remainder of the meeting to prevent the disclosure to them of exempt information, as defined in Section 100(l) and Part 1 of Schedule 12A to the Act when the following item is considered:-

CUM/11898/1 – 13 Nobles Close, Botley

(Category 4 - Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority).

24. **Planning Reference CUM/11898/1, Ms Glen. Retrospective application for a vehicle access over land to the rear of 13 Nobles Close, Botley**

(Pages 118 – 119)

(Wards Affected: Appleton and Cumnor)

To consider an appendix to agenda item 16.