

DC.48

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE

HELD AT THE GUILDHALL, ABINGDON
ON MONDAY, 18TH JULY, 2005

Open to the Public, including the Press

PRESENT:

MEMBERS: Councillors Sylvia Patterson (Chair), Terry Quinlan (Vice-Chair), Matthew Barber, Roger Cox, Terry Cox, Tony de-Vere, Richard Farrell, Richard Gibson, Peter Jones, Julie Mayhew-Archer, Briony Newport, Jerry Patterson, Margaret Turner, Pam Westwood and John Woodford.

SUBSTITUTE MEMBERS: Councillor Peter Saunders for Councillor Monica Lovatt.

OFFICERS IN ATTENDANCE: Mike Gilbert, Geraldine Le Cointe, Laura Hudson, Carole Nicholl and David Quayle.

NUMBER OF MEMBERS OF THE PUBLIC: 12

DC.52 NOTIFICATION OF SUBSTITUTES AND APOLOGIES FOR ABSENCE

The attendance of a Substitute Member who had been authorised to attend in accordance with the provisions of Standing Order 17(1) was recorded as referred to above with an apology for absence having been received from Councillor Monica Lovatt.

DC.53 MINUTES

The Minutes of the meeting of the Committee held on 20 June 2005 were adopted and signed as a correct record.

DC.54 DECLARATIONS OF INTEREST

One Member declared an interest in report 53/05 as follows: -

<u>Member</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Reference</u>
Councillor Pam Westwood	Personal and Prejudicial	GRO/19036	She was acquainted with the applicant.	DC.69

DC.55 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair reminded members of the public and councillors that all mobile telephone should be switched off during the proceedings.

DC.56 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.57 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.58 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33

It was noted that 7 members of the public had given notice that they each wished to make a statement at the meeting. However one member of the public declined to do so.

DC.59 MATERIALS

No materials were presented for consideration.

DC.60 APPEALS

The Committee received and considered an agenda item which advised of 5 appeals which had been dismissed by the Planning Inspectorate.

One Member referred to the dismissed appeals welcoming the Inspector's decisions.

Another Member questioned whether it would be possible for a report to be presented to a future meeting of the Committee setting out the number of appeals allowed and dismissed. He suggested that such a report should include details of how the decisions to refuse permission were made such as by the Director under powers delegated to him; by the Committee or by the Committee contrary to Officers' advice.

The Development Control Manager responded that this information was not readily available although he could research this information. However, he was able to report that the number of dismissed/allowed decisions could be provided, it being noted that approximately 30% of appeals were allowed.

RESOLVED

that the agenda report be received.

DC.61 FORTHCOMING PUBLIC INQUIRIES AND HEARINGS

The Committee received and considered details of forthcoming public inquiries and hearings

RESOLVED

that the report be received.

PLANNING APPLICATIONS

The Committee received and consider report 53/05 of the Assistant Director (Planning) detailing planning applications, the decisions of which are recorded below. Applications where members of the public had given notice that they wished to speak were considered first.

DC.62 MIL/59/43 (E) – ERECTION OF B1 OFFICE UNITS, 115 MILTON PARK, MILTON

Terry Gashe, the applicant's agent made a statement in support of the application commenting that it was appropriate to develop this site and that the proposal was very similar to a development elsewhere on the Park. Finally, he commented that this type of unit was needed.

The local Member raised no objection to the proposal commenting that the units were being taken up and hence were meeting a demand for such accommodation.

By 16 votes to nil it was

RESOLVED

that application MIL/59/43(e) be approved subject to the conditions set out in the report.

DC.63 WAN/420/8 - DEMOLITION OF SINGLE STOREY STORE ROOM AND WCS. ERECTION OF A SINGLE STOREY REAR EXTENSION FOR CAR WASH AND VALET UNIT AND EXTEND SHOWROOM INTO DISUSED SHOP STORE UNIT.

One Member referred to the parking area to the rear of the site commenting that this proposal would improve the current parking situation.

By 16 votes to nil it was

RESOLVED

that application WAN/420/8 be approved subject to the conditions set out in the report.

DC.64 BAU/7616/15 – VARIATION OF CONDITION 8 OF PLANNING PERMISSION BAU/7616/11 TO ALLOW OCCUPATION BY PUTRA MODERN AND OXFORD EXHIBITION SERVICES WITHOUT THE NEED FOR HIGHWAY IMPROVEMENTS. UFFINGTON INDUSTRIAL ESTATE, UFFINGTON STATION, BAULKING

The Committee noted that the comments of Baulking Parish Meeting were set out elsewhere on the agenda, but not withstanding this, details were read out at the meeting.

Matthew Green, the applicant's agent had given notice that he wished to make a statement in support of the application, however, he declined to do so.

One Member commented that if consent was granted, the initial occupiers and their traffic generation were known but this would not be the case for the future and it was likely that traffic generation could be different. In response the Officers confirmed that the relevant condition referred to named users. Furthermore, the amended wording in the relevant condition covered subsequent users carrying out highway work.

By 15 votes to nil, with 1 abstention it was

RESOLVED

that application BAU/7616/15 be approved subject the Informative set out in the report and condition 8 being amended as follows: -

“No development, apart from the construction of Units G and H for occupation by Putra Modern (Europe) Ltd and the extension to Unit C for occupation by Oxford Exhibition Services, shall take place on site until the following requirements are satisfied:

- Three passing spaces on Station Road between the site and Baulking Lane have been provided in accordance with details to be agreed with the highway authority.*
- Visibility splays at the Baulking Lane/Station Road junction of 4.5 metres by 160 metres in both directions have been provided in accordance with Drawing No. 1024/8A.*
- Units G and H and the extension to unit C shall only be occupied by the named companies and shall not be occupied by any other company until highway works are carried out.”*

DC.65 STA/7904/32 – ERECTION OF FOUR SINGLE STOREY INDUSTRIAL UNITS PLOT B,
WHITE HORSE BUSINESS PARK, STANFORD-IN-THE-VALE

The Committee noted that the Parish Council was fearful that one of the units would be used for the storage of radio active material. However, from a planning point of view, the Committee was not able to look into the future or place any condition certain types of storage. It was reported that whatever the applicant wished to store would need to be considered under differ regulations from the Health and Safety Executive.

It was also noted that the amended plans had now addressed the concerns previously raised relating to cycle racks and parking. Therefore, the concerns of the Highway Authority were now satisfied.

Mr McMorrow made a statement on behalf of the Parish Council raising concerns relating what the unit was going to be used for. He commented that the Parish Council's concerns did not relate only to the possible storage of radio active material, but the impact of this on other units on the site. He suggested that the repercussion to other units could be adverse. He commented that if the parish Council had clarification on the intended use, it would be willing to liaise with the users and the Managing Director of the Industrial Site.

One Member commented that this matter could not be controlled through the planning system and that there was no reason to refuse the application. He advised that if the tenant carried out undesirable activities for any reason there were other regulations which could address concerns.

Another Member advised the Committee that the Department of the Environment required that the storage of hazardous material should be registered and therefore there would be some regulation of activity.

By 16 votes to nil it was

RESOLVED

that application STA/7904/32 be approved subject to the conditions set out in the report.

DC.66 CHD/13083/9 - SITING OF A MOBILE HOME, MEADOW VIEW EQUINE CENTRE,
ICKLETON ROAD, CHILDREY, WANTAGE

Further to the report the Officers explained that the circumstances were now different to those when previous applications had been considered, details of which were explained and included the increased boundary treatment at the site; planting which had now matured screening the site from the road, bridleways and footpaths and the extent of the centre's activities. It was noted that the Council had taken expert advice from an independent consultant and that the requirements of Planning Policy Statement 7 were now met. The Officer specifically referred to the requirements for temporary accommodation and reported that the view of the consultants was that these requirements were all met. Therefore, the Officers had concluded that there was no reason to refuse the application.

The Officers reported that should the Committee be minded to approve the application an additional condition requiring details of the type of mobile home should be added together with an informative to advise that the home should be no larger than a two bed unit.

One Member questioned whether the home would be tied to the business, to which the Officers responded that the conditions were general and specified that the occupier needed to work in that type of business, but that they could work outside the site. It was highlighted that

the Committee need to have regard to the possibility that there could be a dwelling on the site, if the applicant sought to make an application at the end of this temporary permission. It was noted that if the business failed to continue for the period of the temporary permission a condition could be added to require that the mobile home should be removed.

Some Members expressed concern about a home in the open countryside, although it was noted that there was a genuine business operating here.

One Member suggested that it might be appropriate to set out a reminder that any permanent dwelling would have an agricultural equestrian tie. However, the Officers responded that this would be part of any application for permanent house.

Another Member commented that the application site was suitable to accommodate a mobile home. However, assuming that the business continued to thrive over the next three years, he was uncertain that a house would be appropriate, especially in the same location as the mobile home and he expressed sympathy for the views of local people regarding visual impact. It was commented that a mobile home was less intrusive than a dwelling. The Officers advised that any application for a house would need to be considered on its merits and that there would need to be a sound business justification.

By 15 votes to nil, with 1 abstention it was

RESOLVED

that application CHD/13038/9 be approved subject to:-

- (i) the conditions set out in the report;*
- (ii) a further condition to provide that should the equine centre cease to operate within the period of the temporary permission, the mobile home shall be removed from the site;*
- (iii) a further condition requiring that details of the mobile home shall first be submitted to and approved by the Local Planning Authority; and*
- (iv) an informative advising the applicant that the Council is unlikely to consider a large mobile home (more than 2 bedrooms) acceptable.*

DC.67 GRO/13203/4 - INSTALLATION OF A 20M HIGH MONOPOLE, THREE ANTENNAS, THREE DISH ANTENNA, RADIO EQUIPMENT HOUSING AND DEVELOPMENT ANCILLARY THERETO. ELMS FARM, GROVE ROAD, GROVE

The Committee noted that no objections to the proposal had been received.

Mr Andy Pywell, the applicant's agent made a statement in support of the application advising that consideration had been given to the most acceptable environmental means of providing the coverage needed. He commented that discussion had been continuing for in excess of a year and that other options had been fully assessed. He explained that sharing the mast at Chain Hill was in progress to ensure the coverage for the Wantage area. He reported that this mast would provide coverage for the Grove area. The existing mast would need an increased height to accommodate the equipment. However, Officers had considered that a separate installation would be more appropriate. He confirmed that was adequate screening in terms of trees, fencing and landscaping and that the proposal was environmentally sensitive. Finally he advised that the scheme accorded with Planning Policy Guidance and that there had been no objections.

One of the local Members had no objection to the proposal.

By 16 votes to nil it was

RESOLVED

that application GRO/13203/4 be approved subject to the conditions set out in the report.

DC.68 GRO/19029 - TWO STOREY AND SINGLE STOREY EXTENSIONS WITH INTERNAL ALTERATIONS, 12 BLENHEIM GARDENS, GROVE

The Committee noted that Grove Parish Council had considered the amended plans and still raised objection to the proposal as over development of the site.

In addition to the report, it was noted that one letter of comment had been received from the residents of No 13 Blenheim Gardens raising concern that the footings for the extension would be on their boundary and light would be cut out. However, the Officers advised that the proposal would not extend any further forward and the proposed window would be to the front, so there would be no loss of light.

Mrs Wright, the applicant made a statement in support of the application commenting that she did not understand why there had been a delay in determining the application. She referred to similar extension, advising that the garage was already on the boundary and there would be addition space for parking. Finally, she reported that the proposal did not amount to overdevelopment of the site and was required to meet the needs of her family.

One of the local Members raised no objection to the application, noting there were similar proposals in the vicinity.

In response to a question raised, the Officers advised that to distinguish between concerns and objections, consideration was given to the substance of what was being raised and how that was presented. Often judgement needed to be made.

By 16 votes to nil it was

RESOLVED

that application GRO/19029 be approved subject to the conditions set out in the report.

DC.69 WAN/19036 - SINGLE STOREY EXTENSION AND CONVERSION TO TWO FLATS WITH ACCESS AND PARKING, 21 HARCOURT GREEN, WANTAGE

(Councillor Pam Westwood had declared a personal and prejudicial interest in this item and in accordance with Standing Order 34, she withdrew from the meeting during its consideration).

Mr McCay made a statement objecting to the application raising concerns relating to matters already covered in the report. He particularly raised concern regarding noise commenting that electrical equipment would be in the room next to his bedroom and he would be disturbed by noise and vibration. He reported that a noise assessment was not a satisfactory solution and that his welfare had not been taken into account. He questioned how measures could be put into place after planning permission was granted. He questioned what guarantees and monitoring arrangements would be put in place. He referred to existing parking on the green public amenity area.

John Freeth, the applicant's agent made a statement in support of the application commenting that the Committee should have regard to genuine planning considerations only. He advised that the development was in accordance with the Local Plan and with local design and architecture. He referred to access and parking amenities of neighbouring households commenting that there was no sustainable reason to refuse permission. He referred to PPG 3, claiming that this encouraged mixed communities and different types of housing. He referred to the three areas of concern identified at the last meeting, all of which had been addressed. He referred to the comment from the County Council and Building Control. He advised that the applicant was aware that an easement across the land was needed and that the County Council as highway authority had indicated that the proposal caused no impediment as means of access. He explained that the balcony element had now been withdrawn and that all concerns had been satisfactorily resolved. Finally, he reported that the proposed conditions were acceptable to the applicant.

Some Members supported that application commenting that the Committee must have regard to the expert advice received and that without contrary evidence the Committee had no reason to refuse the application. It was noted that had confirmed that noise mitigation measures could be taken and that this was a control matter which would be dealt with by Building Control and not a planning issue. It was further noted that should a statutory noise nuisance result, this could be addressed under Environmental Health Act powers.

Other Members raised concern at the proposal commenting that considering remedies for a possible statutory noise nuisance was discouraging. It was suggested that this particular steel frame building was not suitable for conversion and that there would be a noise nuisance

One Member question whether it was normal practice for the Building Control Officer to visit the building before giving advice. The Officers responded that they could not confirm that a visit had been made, but assured Members that the Building Control Officer was aware of these types of these buildings.

Consideration was given to the removal of permitted development rights. Members wished to ensure that the applicant could not implement only part of the planning permission, namely the extension and then install a balcony as permitted development. However, the Officers advised that flats did not have permitted development rights and hence there were none to remove by condition.

One Member commented that the applicant could seek to install a larger window under permitted development and thereafter implement the planning permission. However, it was noted that if the applicant implemented the permission it was necessary to comply with its requirements, which showed a small window.

By 12 votes to nil, with 3 abstentions, with 1 of the voting Members not being present during consideration of this item, it was

RESOLVED

that application WAN/19036 be approved subject to the conditions set out in the report.

DC.70 SHR/19080-X - RESIDENTIAL DEVELOPMENT, LAND TO THE REAR OF 6 STAINSWICK LANE, SHRIVENHAM

Further to the report, the Committee noted that the comments of the Parish Council had still not been received.

The Committee noted that the illustrative layout caused officers some concern, but this was not part of the application. The request of the County Developer Funding Officer for a contribution towards community facilities was highlighted it being noted that the exact figure could not be specified until the likely number of dwellings was determined. Therefore, it was recommended that approval of the application be delegated to the Chief Executive pending resolution of this matter.

One of the local Members referred to the limitation of dwellings on this site and sites elsewhere in Shrivenham and questioned whether an element of affordable housing would be included, as had been the case in a recent proposal for a similar sized site in Uffington. The Officers explained the differences between this application and that referred to and it was noted the affordable housing element in the Uffington site had been put forward by the applicant and had not been a requirement. It was confirmed that the illustrative element was not part of the current application.

Some Member expressed concern that the number of dwellings was not specified at this stage and to this end it was suggested that an informative should be added to any permission to advise that notwithstanding the illustrative layout plans, the Council would expect a high design and layout taking account of the impact on neighbours. It was also suggested that the informative should be expanded further to advise the applicant that the Committee did not find the number of dwellings put forward acceptable for this site.

By 16 votes to nil it was

RESOLVED

that the Chief Executive in consultation with the Chair and/or Vice-Chair of the Committee be delegated authority to approve application SHR/19080-X, subject to: -

- (i) the completion of a Section 106 Agreement securing contributions towards local services and facilities which may include education, library, fire and rescue, waste management and traffic infrastructure, such contribution to be agreed by the County Council Developer Funding Officer;*
- (ii) the informative set out in the report; and*
- (iii) a further informative to provide that notwithstanding the illustrative layout plans, the Council will expect a high design and layout taking account of the impact on neighbours and that the number of dwellings put forward in this application is not considered acceptable for this site.*

Exempt Information Under Section 100A(4) of the Local Government Act 1972

None.

The meeting rose at 8.15pm.