

# DC.89

## MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE

HELD AT THE GUILDHALL,  
ABINGDON ON MONDAY, 24TH  
OCTOBER, 2005 AT 6.30PM

### 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 Gibson, Jenny Hannaby, Monica Lovatt, Julie Mayhew-Archer, Briony Newport, Jerry Patterson, Margaret Turner, Pam Westwood and John Woodford.

SUBSTITUTE MEMBERS: Councillor Mary de-Vere (In place of Richard Farrell)

OFFICERS: Sarah Commins, Steve Culliford, Martin Deans and Mike Gilbert.

NUMBER OF MEMBERS OF THE PUBLIC: 18

### DC.144 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 Richard Farrell. An apology for absence was also Councillor Peter Jones.

### DC.145 MINUTES

The minutes of the meeting of the Development Control Committee held on 26 September 2005 were adopted and signed as a correct record.

### DC.146 DECLARATIONS OF INTEREST

Councillors declared interests in report 153/05 – Planning Applications as follows:

<u>Councillor</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref</u>
Sylvia Patterson	Personal and prejudicial	KEN/18819	Owens a property next to the application site	DC.156
Jerry Patterson	Personal and prejudicial	KEN/18819	Owens a property next to the application site	DC.156

Councillors also declared interests in report 152/05 - Enforcement Programme as follows:

<u>Councillors</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref</u>
Matthew Barber	Personal	Enforcement item re Hazelwood, Spring	Acquainted with the applicants' wife	DC.158

<u>Councillors</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref</u>
		Copse, Hinksey Hill, Oxford SHI/17672/5		
Roger Cox	Personal	Enforcement item re Hazelwood, Spring Copse, Hinksey Hill, Oxford SHI/17672/5	Acquainted with the applicants' wife	DC.158
Terry Cox	Personal	Enforcement item re Hazelwood, Spring Copse, Hinksey Hill, Oxford SHI/17672/5	Acquainted with the applicants' wife	DC.158
Monica Lovatt	Personal	Enforcement item re Hazelwood, Spring Copse, Hinksey Hill, Oxford SHI/17672/5	Acquainted with the applicants' wife	DC.158
Margaret Turner	Personal	Enforcement item re Hazelwood, Spring Copse, Hinksey Hill, Oxford SHI/17672/5	Acquainted with the applicants' wife	DC.158
Pam Westwood	Personal	Enforcement item re Hazelwood, Spring Copse, Hinksey Hill, Oxford SHI/17672/5	Acquainted with the applicants' wife	DC.158

DC.147 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair advised that agenda item 15 - Enforcement Programme - would be considered immediately following agenda item 10 - Forthcoming Public Inquiries and Hearings. She also advised that item 14 - Planning Application ECH/18921/1 - had been withdrawn from the agenda.

The Chair reminded Councillors and members of the public that all mobile telephones should be switched off during the meeting.

DC.148 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

Two members of the public had each given notice that they wished to make a statement at the meeting under Standing Order 32. Both related to the Enforcement item regarding Hazelwood, Spring Copse, Hinksey Hill (SHI/17672/5) (minute DC.158 refers). One Member of the public had given notice that they wished to present a Petition under this Standing Order.

- (1) Dr Goodhead made a statement seeking enforcement action to be taken against the owners of Hazelwood as he believed that unauthorized development had taken place. Retrospective approval had previously been given when development had proceeded in a manner that was different from that permitted. A re-survey had revealed that the land survey was correct but that the house and garage had been repositioned. He had expressed concerns when the foundations had been laid and was concerned at the height and nature of parts of the development. The garage roof pitch was too high and officers had initially proposed to agree changes as minor amendments, which Dr Goodhead disagreed with. He believed that the information in the officer's report and the information provided by the applicants was poor and the design did not comply with the old or new drawings. Furthermore, there had been no response to his questions concerning the toilet window. He urged the Committee to enforce the plans approved in July and ensure that the height was reduced and conditions were met.
- (2) Mr Bedford made a statement explaining the main aspects of the development undertaken at Hazelwood. The floor slab of the garage was at the approved level and the eaves were at the approved height. However, to achieve a door height in the room above the garage, the roof height had been increased slightly. The roof pitch was now 45° rather than 42° as previously approved. He had not seen the toilet window in its present form but undertook, if necessary, to ensure that it was permanently locked.

The Chair thanked the speakers for their statements.

- (3) Councillor Pam Westwood presented a petition to the Chair of the Committee on behalf of the Group Seeking Openness from Local Authorities (G-SOLA). In the petition, the Group regretted a lack of consultation on further housing at Grove and sought a poll of all Wantage residents. The petition contained 10 signatures. The Chair received the petition.

## DC.149 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None

## DC.150 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33

Six members of the public had given notice that they each wished to make a statement at the meeting. However one member of the public was not present.

## DC.151 MATERIALS

The Committee received and considered materials as follows:

- (1) Horse and Jockey, Chilton (CHI/11292/9)

By 16 votes to nil it was

*RESOLVED*

- (a) *that the use of the following materials be approved: -*

*Ibstock Hamsey Mixed Stock bricks  
Artificial slate – Eternit Rivendale Blue/Black*

- (b) *that the sample of concrete tile submitted be refused and the applicants be requested to supply a clay tile for consideration.*

- (2) Demolition of existing garage building. Erection of 4 one bedroom flats, 2 two bedroom house, 2 three bedroom house / four bedroom house or 2 five bedroom houses together with associated parking and garages, Uffington Garage, Broad Street, Uffington (UFF/1082/8)

RESOLVED

*that the use of the following materials be approved: -*

*Natural stone*

*Michelmersh Hampshire Stock Orange Red bricks*

*Ibstock Buckingham ChancelMix bricks*

*Eternit ACME clay plain tiles – Ockham Light mix*

- (3) Thames View, Abingdon (ABG/319/19-D)

RESOLVED

- (i) *that the use of the following materials be approved: -*

*Artificial slate – Eternit Rivendale Blue/Black*

*Clay plain tiles – Eternit ACME Antique, Eternit ACME Burnt Flame and Eternit ACME Grey Sand*

- (ii) *that authority be delegated to the Chief Executive in consultation with the Chair and/or Vice-Chair of the Development Control Committee and local Members to approve the distribution of the materials across the site.*

## DC.152 APPEALS

The Committee received and considered an agenda item which advised of one appeal which had been lodged with the Planning Inspectorate for determination.

RESOLVED

*that the agenda report be received.*

## DC.153 FORTHCOMING PUBLIC INQUIRIES AND HEARINGS

The Committee received and considered details of forthcoming Public Inquiries and Hearings.

RESOLVED

*that the agenda report be received.*

## PLANNING APPLICATIONS

The Committee received and considered report 153/05 of the Assistant Director (Planning) detailing planning applications, the decisions of which are set out below. Applications where members of the public had given notice that they wished to speak were considered first.

## DC.154 SHI/1753/10 - CHANGE OF USE, ALTERATION AND EXTENSION TO TWO DWELLINGS AND ERECTION OF SEVEN FURTHER DWELLINGS. ISIS WORKS, ST LAWRENCE ROAD, SOUTH HINKSEY

Councillor Rawcliffe made a statement on behalf of South Hinksey Parish Council welcoming new housing in the village but objecting to the height and pitch on the original design. In the latest application, the properties nearest the Church had more bedrooms in the roof and he considered this would have a detrimental impact on the Church and the nearby listed farmhouse. He commented that the increase in density would have implications for traffic, particularly on the junction at the A34 and that parking was difficult in the village and would get worse. Finally, he commented that the development would not provide a comfortable, safe environment in the village.

James Mallinson made a statement objecting to the application, agreeing with the comments made by the representative of the Parish Council regarding parking and traffic. There had already been a significant impact on his Listed property from the development of Isis House and the height of the new development would impact also.

Peter Uzzell, the applicant's agent, made a statement in support of the application, believing it was proper to submit amended planning applications to make developments more profitable. Some minor alterations had been proposed, which resulted in less volume and the parking standards being met in full. There had been a reduction in the number of dwellings which would generate less traffic. There was no increase in height in the dwellings nearest the church and some of ridge heights had been reduced. One dwelling had even been moved further away from the Listed farmhouse.

As the Committee did not have the power to alter the County Council's adopted parking standards nor alter the access on to the A34, it was considered that these objections could not be resolved. The Committee noted that the impact on the Listed farmhouse and church had been reduced. Members also recognised that the development replaced the old industrial use of the site and therefore would result in less traffic. However, some concern was expressed at the tone of the letter from the Parish Council.

By 16 votes to nil it was

*RESOLVED*

*that application SHI/753/10 be approved subject to the conditions set out in the report.*

DC.155 WAN/3417/27 & 28-LB - CHANGE OF USE OF FIRST AND SECOND FLOORS FROM OFFICE TO 3 X 1 BED AND 4 X 2 BED FLATS. 13 - 17 NEWBURY STREET, WANTAGE

Further to the report, the officer advised the Committee that the County Engineer had no objections to the application on highways grounds, given the existing office use of the site.

Mr Mortimer, an objector, had requested to address the meeting but was not in attendance.

Mr Gordon Haslett, the applicant's agent, made a statement in support of the application. In contrast to the Town Council's views, he reported that only a small amount of the building was currently used as office space, the remainder was vacant despite being advertised by an agent. There was no demand for low grade office accommodation in the town. Spare parking capacity was available in the area and traffic generation would have a limited impact on local people.

Some concern was expressed at the lack of parking provision and that it would be difficult for residents to park in the public car parks at peak times. The cumulative effect could have a long term detrimental effect on the town's economy. In response, one Member reported that 20% of households in the Vale had no car. However, the majority of Members supported the

proposed development. Residential development near the town centre was welcomed and the development would improve the appearance of the building.

By 15 votes to 1 it was

*RESOLVED*

*that applications WAN/3417/27 and WAN/3417/28-LB be approved subject to the conditions set out in the report.*

DC.156 KEN/18819 - ERECTION OF 3 DETACHED HOUSES AND GARAGES WITH ACCESS OFF COW LANE. THE MANOR HOUSE, KENNINGTON

(Councillors Jerry Patterson and Sylvia Patterson both declared personal and prejudicial interests in this item and in accordance with Standing Order 34 they left the meeting during its consideration.)

Mr Myers, the applicant, made a statement in support of the application. The site used to have cottages on it in the 19<sup>th</sup> century. Although there was a problem with the access vision splay, the adjoining landowner had agreed to negotiate its improvement.

If the access problems could be overcome, Members were in support of the proposal and welcomed the design that included thatched roofs.

By 14 votes to nil it was

*RESOLVED*

*that authority be delegated to the Chief Executive, in consultation with the Chair and/or Vice-Chair of the Development Control Committee, subject to no objections from Environmental Protection, to a legal agreement ensuring the maintenance of the visibility splays at the junction of Cow Lane and Kennington Road and enabling the use of Cow Lane to gain access to the site, and subject to the conditions set out in the report.*

DC.157 ECH/18921/1 - CONVERSION OF EXISTING BARN TO OFFICES. LAND OPPOSITE VOWH DEPOT, CHALLOW ROAD, WANTAGE

This application was withdrawn from the agenda.

DC.158 ENFORCEMENT REPORT

(Councillors Matthew Barber, Roger Cox, Terry Cox, Monica Lovatt, Margaret Turner and Pam Westwood all declared personal interests in this item and in accordance with Standing Order 34 they remained in the meeting during its consideration.)

The Committee received and considered report 152/05 of the Assistant Director (Planning) which looked at five enforcement cases. Details of each case were considered.

In respect of Hazelwood at Spring Copse, Hinksey Hill, it was noted that the Enforcement Officer had measured the garage and ascertained that it was 0.325m higher than permitted. This was to achieve the height for a doorway and ceiling for the first floor. The Committee considered that despite mistakes that had been made, it had to consider the issue as if it was a fresh planning application. Members considered that the increased height to allow a doorway and ceiling was acceptable and would have been granted planning permission. Therefore, the Committee agreed not to take enforcement action, although Members

requested that the officers investigated the window as installed to ensure it complied with the existing permission.

**RESOLVED**

- (a) *that authority be delegated to the Chief Executive, in consultation with the Monitoring Officer and Solicitor and the Chair and/or Vice-Chair of the Development Control Committee, to take enforcement action in the following cases, if in their judgement it is considered expedient to do so:*
- (i) *To cease any residential use, and secure the removal of, an unauthorised dwelling at Willow Farm, Lower Road, Chilton, Didcot, CHI/17556 (by 16 votes to nil);*
  - (ii) *To secure the removal of an unauthorised dwelling at Apple Tree House, Lincombe Lane, Boars Hill, Oxford, SUN/17821 (by 16 votes to nil);*
- (b) *that no enforcement action be taken in the following cases but that they remain on the active enforcement list:*
- (i) *To remove the enforcement case against Mr Tarojamani and an unauthorised boundary wall and gates at 58 Hurst Lane, Cumnor, CUM/18489/1-E (by 16 votes to nil);*
  - (ii) *To remove the enforcement case against Mr P Caudwell and the unauthorised use of agricultural buildings at Cross Trees Farm, Sutton Courtenay, Abingdon, as kennels, SUT/184/6-E (by 16 votes to nil); and*
  - (iii) *To take no further action in the enforcement case against Mr D. Matthews and the increase in height and pitch of the garage roof, subject to the officers investigating the window as installed to ensure it complies with the existing permission at Hazelwood, Spring Copse, Hinksey Hill, Oxford, SHI/17672/5 (by 13 votes to 1 with 2 abstentions).*

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

None

The meeting rose at 8.12pm