

# DC.106

## MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE

HELD AT THE GUILDHALL,  
ABINGDON ON MONDAY, 21ST  
NOVEMBER, 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 Farrell, Richard Gibson, Jenny Hannaby, Peter Jones, Monica Lovatt, Julie Mayhew-Archer, Briony Newport, Jerry Patterson, Margaret Turner, Pam Westwood and John Woodford.

OFFICERS: Martin Deans, Rodger Hood, Carole Nicholl, David Quayle and Stuart Walker.

NUMBER OF MEMBERS OF THE PUBLIC: 20

### DC.177 NOTIFICATION OF SUBSTITUTES AND APOLOGIES FOR ABSENCE

There were no apologies for absence as all Members of the Committee were present.

### DC.178 MINUTES

The Minutes of the meeting of the Development Control Committee held on 24 October 2005 were adopted and signed as a correct record.

With reference to Minute DC.155 – WAN/3417/27 and 28-LB it was noted that 13.8% of households in the Vale did not have a car compared to 20% of households in Oxfordshire.

### DC.179 DECLARATIONS OF INTEREST

Councillors declared interests in report 177/05 – Planning Applications as follows:-

<u>Councillor</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref</u>
Briony Newport	Personal	NHI/1136/4	She was a Member of North Hinksey Parish Council which had objected to the application. She explained that she was not a member of the Parish Council's Planning Committee and had had no previous consideration of the application.	DC.187
Jerry Patterson	Personal	KEN/1525/1-X	He was a member of the Parish Council which had objected to the application. However, he was not a member of the Parish Council's Planning Committee which had considered the matter.	DC.188

<u>Councillor</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref</u>
Sylvia Patterson	Personal	KEN/1525/1-X	Her spouse had a personal interest in so far as he was a member of the Parish Council which had objected to the application.	DC.188
Richard Farrell	Personal and Prejudicial	ABG/3516/11	He was a Board Member of The Vale Housing Association which occupied the land opposite the application site.	DC.189
Roger Cox	Personal	GCO/8308/11-X	He had attended a meeting of the Town Council when this application had been discussed although he retained an open mind in now considering the application.	DC.190

**DC.180 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS**

The Chair announced that application LWO/13682/4-X – the erection of a dwelling Wayside House, Beggars Lane, Longworth had been withdrawn from the agenda, (Minute DC.191 refers).

The Chair asked members of the public and Councillors to switch their mobile telephones off during the meeting.

Finally, the Chair reminded Members that at the last meeting, on consideration of application WAN/13040/1 – demolition of workshop, erection of three storey and single storey rear extensions and conversion of property to form three flats at 33 Wallingford Street, Wantage, it had been agreed that consideration of the application be deferred pending an organised site visit. The Chair announced that arrangements had now been made and the site visit would take place on Wednesday 30 November 2005 at 11.00am. The Chair suggested that any Members unable to attend the next meeting of the Committee when the application would be considered, should arrange for their Substitute Member to attend the site visit.

**DC.181 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32**

None.

**DC.182 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32**

None.

**DC.183 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33**

Four members of the public had each given notice that they wished to make a statement at the meeting.

DC.184 MATERIALS

None.

DC.185 APPEALS

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

One Member referred to the appeal decision in respect of the Abingdon Bowling Club welcoming the Inspector's decision.

*RESOLVED*

*that the agenda report be received.*

DC.186 FORTHCOMING PUBLIC INQUIRIES AND HEARINGS

The Committee received and considered an agenda item which advised of forthcoming public inquiries and hearings.

*RESOLVED*

*that the agenda report be received.*

PLANNING APPLICATIONS

The Committee received and considered report 177/05 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.187 NHI/1136/4 – PROPOSED CONVERSION OF EXISTING SHOP TO 2 X 1 BED AND 1 X 2 BED FLATS. 78A WEST WAY, BOTLEY (NORTH HINKSEY PARISH)

Councillor Briony Newport had declared a personal interest in this item and in accordance with Standing Order 34 she remained in the meeting during its consideration.

Further to the report, the Committee noted that the Parish Council had expressed concern regarding the financial motives of the applicant which might lead to the prevention of the sale of the existing shop to the Cat Clinic. However, the Committee was advised that sales and financial gain were not material planning considerations.

Mr A Griffiths made a statement on behalf of the Parish Council objecting to the application, raising concerns relating to matters already covered in the report. He explained that the Parish Council had been particularly concerned regarding access, parking, noise, inaccurate plans and the proposals being misleading.

Two of the local Members raised no objection to the application.

By 17 votes to nil it was

RESOLVED

*that application NHI/1136/4 be approved, subject to the conditions set out in the report.*

DC.188 KEN/1525/1-X – DEMOLITION OF EXISTING TANDEM GARAGE. ERECTION OF A SINGLE STOREY DWELLING, TWIN GARAGE AND RELOCATION OF ACCESS. 5 KIRK CLOSE, KENNINGTON.

Councillors Jerry Patterson and Sylvia Patterson had each declared personal interests in this item and in accordance with Standing Order 34 they remained in the meeting during its consideration.

Both of the local Members raised no objection to the proposal but questioned the surface material for the drive, commenting that because of concerns regarding noise, an alternative to gravel surface treatment for the access should be used.

By 17 votes to nil it was

RESOLVED

*that application KEN/1525/1-X be approved, subject to the conditions set out in the report, with an additional condition to require that the surface treatment of the access be first agreed with the Local Planning Authority.*

DC.189 ABG/3516/11 – AMENDMENTS TO BLOCKS C AND D. ADDITION OF 1 AFFORDABLE FLAT TO BLOCK D (TOTAL NUMBER OF DWELLINGS IN BLOCKS C AND D INCREASED FROM 64 TO 65). TWO EXTRA PARKING SPACES. THE MALTINGS, VINEYARD, ABINGDON

Councillor Richard Farrell had declared a personal and prejudicial interest in this item and in accordance with Standing Order 34 he withdrew from the meeting during its consideration.

Further to the report, the Committee noted that the comments of the Town Council on the amended proposal were still awaited. In addition, it was noted that only two additional car parking spaces were required off Magnet Close and the Consultant Architect now supported the proposal.

One of the local Members raised no objection to the application but sought clarification as to the parking arrangements. In response, the Officers advised that the parking spaces had not been narrowed but had been regimented differently. Another local Member raised no objection to the application and in response to a question raised by him, it was clarified that the roof vents on Block C added interest to the design and might be used as extraction ducts.

By 16 votes to nil it was

RESOLVED

*that the Chief Executive in consultation with the Chair and/or Vice-Chair of the Development Control Committee, be delegated authority to approve application ABG/3516/11 subject to:-*

- (i) the expiry of the consultation period and no new objections being received;*
- (ii) the completion of an amended Section 106 obligation with respect to the affordable dwellings;*

- (iii) *appropriate conditions, including conditions to address materials, architectural details, landscaping, hard surfacing and parking.*

DC.190 GCO/8308/11-X – CONSTRUCTION OF 4 X 2 STOREY DWELLINGS. DEMOLITION OF EXISTING BARN. PEAR TREE FARM, GREAT COXWELL

Councillor Roger Cox had declared a personal interest in this item and in accordance with Standing Order 34 he remained in the meeting during its consideration.

Further to the report, the Committee was advised of one further letter of support reiterating comments previously raised as set out in the report.

The Committee noted that the application sought outline planning permission for the erection of four dwellings with all matters reserved. The applicant was seeking to relocate the timber business to an unspecified location with the reason for the move being to relocate what was deemed to be a bad neighbour use, due to the amount of traffic generated from that use which flowed to and from the site through the village.

It was noted that the application for four dwellings was a departure from the Development Plan and therefore Members needed to assess whether there was a special justification to set aside policy in favour of the proposal. The applicants had suggested that the removal of the bad neighbour use was a special justification and to this end had provided details of vehicle movements during two weeks in May and June 2005, which had been calculated to be 634 and 638 respectively. Judging by the level of support for the application, this level of traffic could be considered significant and material in supporting the proposal. However, there had been no independent verification of these movements and no details had been recorded of the type of vehicles involved.

Notwithstanding the likely movements stated, there was a need for the Committee to balance the relocation of the timber use against established planning policy, in particular the principle of providing new development in a sustainable manner. In this respect, the applicants had indicated that the site was previously developed land.

The Committee was asked to bear in mind that just because the whole site could be claimed as previously developed, this did not mean that the whole area of the site should therefore be redeveloped. Again, Members' attention was drawn to relevant planning policy and the need for any development to be sustainable.

Councillor M Durham, the Chairman of Great Coxwell Parish Council, made a statement in support of the application commenting that prior to the submission of the application, the applicant had sought to negotiate with members of the village via the Parish Council to ascertain whether there would be support for a small development in the village, with the existing timber business being relocated. He advised that a large number of people had attended the Parish Council meeting and had felt that not enough consideration was being given to noise and safety issues associated with traffic. The Parish Council and the village had considered that four dwellings with complete relocation of the timber business would be acceptable. Details of proximity of many of the houses to the highway were explained and concerns were expressed regarding damage to property, noise and pedestrian safety.

Mr T Coss, on behalf of the applicant, made a statement in support of the application, commenting that there was special justification to outweigh any objections. He explained that the site had been well established as a business since the 1960s and therefore was previously developed. He referred to the significant benefits in the reduction of traffic for the village and the creation of an edge to the settlement. He explained that there would be no noise, smell, pollution and an opportunity would be presented to use a brownfield site for the provision of

new houses. The relocation of the neighbourhood nuisance problem would be of significant benefit locally and he suggested that the proposal accorded with planning policy in that an unneighbourly business use would be removed. He commented that a new dedicated site for the business would enable it to thrive and expand. He commented that the proposal accorded with the aims of the Local Plan in terms of reducing the need to travel and improving the quality of life of members of the community.

One of the local Members sought clarification with regard to the number of dwellings proposed, noting that the application was for outline permission. In response the Officers advised that the number of dwellings could be specified at this stage. The local Member referred to the reasons for refusal, suggesting that the site was sustainable. He commented that there was a regular bus service into Faringdon and indeed the village was only a short walk away from the Town. He advised that he found it hard to accept that the proposal would detract from the Conservation Area in that the village would benefit from the removal of an unneighbourly business.

Another local Member spoke in support of the application, commenting that he considered the use sustainable and agreeing that the village would benefit by the removal of an unneighbourly use.

Some other Members spoke against the application, commenting that it was contrary to policy and should be refused. However, it was recognised that the relocation of the timber yard would be beneficial to the village and it was commented that perhaps a development restricted to the footprint of the existing built form, might be appropriate.

On consideration of this application reference was made to sustainability generally and it was questioned whether this needed to be reviewed, it being commented that there were now home deliveries of shopping, shopping on the web and people working from home.

By 12 votes to 4, with 1 abstention, it was

*RESOLVED*

*that application GCO/8308/11-X be refused for the reasons set out in the report.*

DC.191 LWO/13682/4-X – ERECTION OF A DWELLING. WAYSIDE HOUSE, BEGGARS LANE, LONGWORTH.

As referred to elsewhere in these minutes, this application had been withdrawn from the agenda.

DC.192 ABG/16150/2 – DEMOLITION, REPLACEMENT AND RESITING OF AN EXISTING GARAGE. ERECTION OF A SINGLE STOREY FRONT AND REAR EXTENSION, ERECTION OF A TWO STOREY SIDE AND REAR EXTENSION AND ERECTION OF A 1.8 METRE CLOSE BOARDED FENCE. 56, BALLARD CHASE, ABINGDON

Miss K Earl made a statement objecting to the application, raising concerns relating to matters already covered in the report. She particularly raised concerns regarding the construction of the garage, access, the obstruction of site lines, off-street parking, traffic congestion, alteration to the open plan aspect of the area, unneighbourliness, visual impact and noise.

One of the local Members spoke against the application, raising concerns regarding adverse impact in terms of loss of light into the neighbour's lounge window, visual impact, off-street parking and the fence destroying the open aspect of the estate. Another local Member also raised concern regarding the close boarded fence, suggesting that this might set a precedent

for similar fences in the area. In response to the concerns raised, the Committee was advised that the fence could be constructed as permitted development without the benefit of planning permission.

Some Members spoke in support of the application, noting that the lapsed planning permission needed to be taken into account. It was noted that there had been no objections from the County Engineer and the parking standards were met.

One Member questioned whether it would be reasonable to require a landscaping scheme to lessen the visual impact of the close boarded fence. However, the Officers expressed concern at this, commenting that a landscape scheme would probably result in the breach of vision requirements. It was therefore suggested that some form of planting which would not breach the vision requirements should be requested.

By 15 votes to nil, with 2 abstentions, it was

**RESOLVED**

*that application ABG/16150/2 be approved, subject to the conditions set out in the report and an informative to ask the applicant to provide some form of planting to screen the fence without obscuring the vision requirements.*

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

None.

The meeting rose at 7.50pm.