

DC.126

**MINUTES OF A MEETING
OF THE DEVELOPMENT CONTROL COMMITTEE**

**HELD AT THE CIVIC HALL,
WANTAGE ON TUESDAY, 3RD
JANUARY, 2006 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, Richard Farrell, Richard Gibson, Peter Jones, Julie Mayhew-Archer, Briony Newport, Jerry Patterson, Margaret Turner, Pam Westwood and John Woodford.

SUBSTITUTE MEMBERS: Councillors Paul Bizzell (In place of Jenny Hannaby), Bob Johnston (In place of Tony de Vere) and Peter Saunders (In place of Monica Lovatt).

NON MEMBERS: Councillor Gervase Duffield.

OFFICERS: Rodger Hood, Carole Nicholl, Emma Phillips, David Quayle and Laura Hudson.

NUMBER OF MEMBERS OF THE PUBLIC: 24

DC.224 NOTIFICATION OF SUBSTITUTES AND APOLOGIES FOR ABSENCE

The attendance of Substitute Members who had been authorised to attend in accordance with the provisions of Standing Order 17(1) was recorded as referred to above, with apologies for absence having been received from Councillors Tony de Vere, Jenny Hannaby and Monica Lovatt.

DC.225 MINUTES

The Minutes of the meeting of the Committee held on 5 December 2005 were adopted and signed as a correct record.

DC.226 DECLARATIONS OF INTEREST

Councillors declared interests in report 202/05 – Planning Applications as follows:-

<u>Councillor</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref</u>
Terry Cox	Personal	STA/8716/6	He knew the applicant.	DC.237
Paul Bizzell	Personal	CHI/17014/3	He knew one of the objectors.	DC.239
Terry Cox R T Johnston Briony Newport Margaret Turner	Personal	CHI/17951/1	They knew one of the objectors.	DC.240

DC.227 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair wished everyone a Happy New Year.

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

The Chair announced that the plan included at page 27 of the agenda should be ignored as inadvertently it had been included with the papers.

The Chair announced that the next meeting of the Development Control Committee due to be held on 16 January 2006 had now been cancelled due to the lack of applications to be considered.

The Chair reminded Councillors that the plans for applications SUT/4403/5 and SUT/4403/6 had been circulated separately.

The Chair also reminded Councillors that the parish Council's comments in respect of applications SPA/15623/3 and SPA/15623/4-CA had been circulated separately.

DC.228 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.229 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.230 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33

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

DC.231 MATERIALS

The Committee received and considered details of materials in respect of the following application: -

B1 Office units, Site 115 Milton Park (MIL/59/43)

RESOLVED (Nem Con)

that the use of the following materials be approved: -

*Roof Aluminium standing seam roof in natural stucco embossed mill
Rainwater cladding in Rheinzink pre-weathered pro-finish
Powder Coated Window material in RAL 7042
Clay facing brickwork in Bosworth Cream*

DC.232 APPEALS

The Committee received and considered an agenda report which set out details of one appeal lodged with the Planning Inspectorate for determination.

RESOLVED

that the agenda report be received.

DC.233 FORTHCOMING PUBLIC INQUIRIES AND HEARINGS

The Committee received and considered a report which set out details of forthcoming public inquiries and hearings.

One Member referred to the comments he had made at the last meeting that details of the decisions and dates for some earlier appeals were not included. He again sought a reassurance that the report was correct and that these appeals had yet to be determined.

The Officers responded that the report was correct and that if a decision had been received, details would be included, although the Officers undertook to check the information. It was explained that there was a considerable backlog of appeals yet to be determined by the Planning Inspectorate with many hearing dates yet to be arranged and that in future the report would include details of the status of these appeals.

RESOLVED

that the report be received.

DC.234 VALE OF WHITE HORSE LOCAL PLAN TO 2011

The Committee received and considered an agenda item which advised that the Strategic and Local Planning Advisory Group had determined its future work programme for the Local Plan and had suggested dates for future meetings of the Advisory Group and special joint meetings of the Executive and the Development Control Committee. It was noted that the Council needed to adopt the Local Plan and Supplementary Planning Guidance by 21 July 2006. To do this, the Advisory Group's recommendations would need to be considered by the Development Control Committee and the Executive, with any changes to and adoption of the Plan being recommended to Council.

RESOLVED

that the Development Control Committee and the Executive meet on Thursday 9 March 2006 to discuss proposed modifications to the Local Plan, and meet on Wednesday 7 June 2006 to discuss public consultation responses to the proposed modifications and agree a notice of intent to adopt the Local Plan.

DC.235 SUT/4403/5 AND SUT/4403/6-CA – DEMOLISH GARAGE AND SHED. ERECT THREE BED DWELLING WITH CAR PORT. NEW OPENING IN WALL. BEKYNTON HOUSE, 7 THE GREEN, SUTTON COURTENAY

The Committee noted that the plans for applications SUT/4403/5 and SUT/4403/6 and a letter of objection had been circulated separately.

Further to the report the Officers advised that they considered that notwithstanding the comment of the County Engineer, a passing bay on All Saints Lane would have a harmful impact on the lane in the Conservation Area.

In addition, the Committee was advised that comments from the Rights of Way Officer had been received raising concerns as to whether the applicant had a right of way; whether the applicant was liable for the maintenance of the lane; objection if the width of the path was

being reduced and concern that there should be no storage of materials on the footpath during construction.

Furthermore, the Committee was advised that a letter had been received from a local resident raising concerns regarding discrepancies in the location plans. The Officers reported that the concerns identified were valid although because the whole site was within the same ownership this was not considered a reason to object to the applications. It was reported that the resident had also referred to the footprint of the new dwelling being larger than the existing building on the site and that this neither preserved nor enhanced the area. Concerns were also raised regarding the patio area; proximity of the proposal to other buildings; car parking layout and over development of the site.

The Officers reported that the applicant had responded to the comments raised, indicating that the land was all in the same ownership; the stone was in keeping with the area and the proposal would improve visual amenity; there would be limited impact on the amenity of the neighbours due to the location and orientation of the proposal and that the closest point would be single storey. Reference had also been made to the views of the County Engineer.

Mr M Jenkins made a statement on behalf of the Parish Council objecting to the applications raising concerns relating to matters already covered in the report. He specifically raised concerns regarding impact of the proposal on the Conservation Area; adverse impact on the environment; the setting of a precedent for further development along All Saints Lane; demolition of an old stone wall; inadequate parking provision for the business activities of Bekynton House and the possibility of a separate unit being used for additional accommodation for the bed and breakfast business. He asked the Committee to have regard to the site being small.

Mr Hignell made a statement objecting to the applications raising concerns relating to matters already covered in the report. He specifically referred to the inappropriateness of developing this site. He reported that the larger site area had been registered with the land registry as one site. He advised that the site plan was approximately 16% larger. He was concerned regarding the footprint of the building which was 3 times larger than the building to be removed. He reported that allowing a dwelling on such a footprint would be harmful to the Conservation Area contrary to legislation. He questioned the remedies proposed for the likely harm of unneighbourliness. He reported that there was a 7 m high gable wall sited only 5 metres from his sitting out area which he considered unreasonable. He reported that vehicle parking was restricted already. Finally, he expressed concern that the car port would become a separate dwelling.

Mrs Cornwall, the applicant made a statement in support of the applications. She reported that no Member of the Parish Council had visited the enclosed site or canvassed the local neighbours. She advised that she had consulted all the neighbours who were in support of the proposals. She commented that there seemed to be some confusion regarding the Bed and Breakfast (B&B) business activity at Bekynton House explaining that the new dwelling would not be used as part of this. She explained that the issue raised regarding car parking was irrelevant. She reported that stone walls and hand made clay tiles would be used, helping to preserve the character and appearance of the area. She clarified that the carport would be sited away from the boundary and that it would not be visible. She reported that the additional space was required for a study and would not become a separate dwelling. Finally, she argued that the lane was only lightly used.

Mrs G Foley, a neighbour made a statement advising that she supported the applications which had been sympathetically designed.

The local Member reported that he had discussed the issue of B&B with the applicant who had advised that the business activity was diminishing. She had confirmed that it was not intended that the new dwelling would be used for B&B and he asked that this be so recorded in the minutes. He commented that this issue had been a concern raised by a number of people. He referred to planning matters expressing some concern regarding this development in this location. He commented that within the Conservation Area there could be some building. However, up to the Church the Lane was very rural in character and this needed to be preserved.

Some Members spoke in support of the applications commenting that the principle of housing on this site would be difficult to refuse. It was suggested that there should be a condition added to prevent the car port becoming a separate dwelling. It was further questioned whether a condition restricting the B&B activity should be imposed but it was confirmed that planning permission for a change of use would be required for this. Reference was made to parking and it was agreed that the Officers should investigate the parking provision required for previous developments at Bekynton House which appeared not to have been implemented. It was noted that the site was well screened; the proposal was sensitively designed and would not set a precedent.

By 16 votes to nil, with 1 abstention it was

RESOLVED

- (a) *that application SUT/4403/6 – CA be approved subject to the condition set out in the report;*
- (b) *that application SUT/4403/5 be approved subject to: -*
 - (1) *the conditions set out in the report; and*
 - (2) *a further condition to require that the accommodation within the car port studio remains ancillary to the main dwelling Bekynton House;*
 - (3) *an informative to advise that should the owner wish to use the new premises as Bed and Breakfast accommodation, unless such Bed and Breakfast use is subsidiary and ancillary to the main residential use of the dwelling, Bekynton House planning permission would be required.*
- (c) *that the Officers be asked to investigate the parking provision required for previous developments at Bekynton House which appear not to have been implemented.*

DC.236 DRA/5680/1 – DEMOLITION OF GARAGE AND ERECTION OF ONE DWELLING AND GARAGE. 32A HIGH STREET, DRAYTON

The Committee was advised that the Council's Landscape Officer (Arboriculture) had no objection to the proposal.

Mrs Pooley made a statement on behalf of the Parish Council objecting to the application raising concerns regarding access onto a busy road near parked vehicles; positioning; proximity; the proposal being out of keeping; loss of light to the neighbouring property and over development.

Mrs Moor speaking on behalf of residents of Halls Close made a statement objecting to the application raising concerns regarding the roof line which it was considered would spoil the character of the area; proximity; height; ground levels; loss of outlook; noise and disturbance;

devaluation of property; overshadowing; loss of light to the neighbour's dining room; overlooking and loss of privacy. She questioned whether it would be possible for the dwelling to be re-sited further away from the neighbouring property.

One Member questioned whether negotiations had been held with the neighbours regarding the re-siting of the dwelling. The Officer responded that the application had been considered on its merits as presented.

Members considered that negotiations should be held with the applicant with a view to re-siting the dwelling, which it was considered would improve the relationship between the buildings.

It was proposed by Councillor Peter Saunders, seconded by Councillor Terry Cox and by 17 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 DRA/5680/1 subject to: -

- (1) *negotiations with the applicant to seek a re-siting of the dwelling further away from the neighbouring property 3 Halls Close;*
- (2) *the conditions set out in the report; and*
- (3) *further conditions to require: -*
 - (i) *slab levels to ensure that the ridge height of the new dwelling remains as shown on the plans, being no higher than the neighbouring property 3 Halls Close;*
 - (ii) *obscure glazing to the velux windows to the ensuite bathroom and landing on the south and east elevations; and*
 - (iii) *the removal of permitted development rights to prevent the insertion of windows in the east elevation.*

DC.237 STA/8716/6-LB – LOWERING EXISTING CHIMNEY STACK COX'S HALL, 60 HIGH STREET, STANFORD IN THE VALE

Councillor Terry 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 noted that the Georgian Group had indicated that the chimney should be retained even if it was not functioning.

One Member referred to the views of the Conservation Officer and suggested that the applicant should be advised of these.

By 17 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 STA/8716/6-LB subject to: -

- (1) *the application being referred to the Secretary of State and the Secretary of State raising no objections;*
- (2) *the conditions set out in the report; and*
- (3) *an informative advising the applicant of the views of the Council's Conservation Officer that the details of the top of the chimney stack should be repeated at lower level.*

DC.238 SPA/15623/3 AND SPA/15623/4-CA – DEMOLITION OF REDUNDANT FARM BUILDINGS AND ERECTION OF FIVE HOUSES. HOME FARM, WEST STREET, SPARSHOLT

The Committee was advised that the planning application had been amended from that originally submitted to address issues of design and other issues raised during the consultation process.

The Committee noted that the comments of the Parish Council had been received and had been circulated separately to Members prior to the meeting. Details of those comments were also reported in full at the meeting.

It was noted that the applicant had agreed to widen the road at the front of plot 4 at the pinch point which it was considered would help alleviate some of the highway safety concerns raised.

It was noted that one further letter had been received from the residents of Collage Cottage referring to Local Plan Policy H6 commenting that there should be no more than 1 or 2 dwellings and therefore the application was inappropriate.

The Officers referred to the Local Plan advising that the site was currently vacant in the Conservation Area and was capable of accommodating more than 1 or 2 dwellings. The Officers considered that allowing 5 dwellings would allow the site to be developed comprehensively at an acceptable level which could be justified having regard to its current appearance and its previous use. The Officers considered that the proposed development would enhance the Conservation Area, subject to the use of appropriate materials.

The Committee noted that the issue of neighbour amenity has been raised, details of which were set out in the report. It was highlighted that the specific concerns had been highlighted regarding the impact of the building on plot 4 on the cottages opposite. The Officers explained that the cottages were some 13 metres away and due to the lower roof line of the proposed dwelling it was considered that the impact would be acceptable. The Officers also considered that there would be no unduly harmful impact from the dwelling on plot 3 and advised that the dwellings on plots 1 and 2 had been moved. It was reported that there would be some loss of trees, which individually were not worthy of preserving and therefore a landscaping scheme was required.

Mr Bramwell made a statement objecting to the applications reiterating concerns relating to matters already covered in the report. He explained that the main concern was that the proposal was contrary to planning policy. He referred to Chapter 8 of the Emerging Local Plan emphasising that the development was not appropriate for Sparsholt in that a number of requirements in the Plan were not satisfied. He specifically referred to the lack of infrastructure in the village reporting that there was no school, public facilities and no main drainage. He referred to the Structure Plan which provided that development of this type was not appropriate. He welcomed the widening of Watery Lane although he suggested that this would not address the parking problems. He also expressed concerns regarding pollution of

the local water course and suggested that an Environmental Impact Assessment should be first undertaken. He reported that there was currently a flooding problem.

Mr Green, the applicant's agent made a statement in support of the applications advising that the proposal had been designed carefully following consultation with the Council's Officers and having regard to the character of the area. He explained that the site was capable of being developed. He commented that the proposal was a sensitive scheme in keeping with the areas; large incongruous buildings would be replaced; the siting would continue the rhythm of development in this area; the style was similar to traditional buildings in the area; the elevation was appropriate; there would be reuse of the current footprint; the entrance would be reduced and therefore compatible with others in the area; the new development would fit discreetly behind existing dwelling; a tree planting scheme was proposed; and the scale and type of development was appropriate in the context of the infrastructure of this village.

On Member spoke in support of the applications, agreeing with the Officers' conclusion that on balance the proposal was acceptable.

Other Members spoke against the application considered that the proposal was contrary to planning policy. It was commented that the emerging Local Plan provided for no development in this area, whereas the existing Local Plan specified 1 or 2 dwellings. It was commented that an application for 5 dwelling was totally unacceptable and unjustifiable in Sparsholt. It was considered that the development was not sustainable and that in approving such an application the Council could be setting a present for approval of other similar applications in unsustainable locations contrary to planning policy. Furthermore, Members questioned the type of housing proposed which it was suggested would not be meeting the housing needs of the District. It was commented that just because the existing buildings were no longer in use and unsightly, was no reason to approve an application which would otherwise be contrary to policy.

It was proposed by the Chair that application SPA/15623/3 be approved subject to the conditions set out in the report. This was lost by 3 votes for and 14 against. However, Members considered that Conservation Area Consent should be granted for the demolition of the farm buildings.

It was thereupon proposed by Matthew Barber, seconded by Councillor Terry Cox and by 14 votes to 2, with 1 abstention it was

RESOLVED

- (a) *that application SPA/15623/3 be refused with the reasons for refusal to be formally endorsed at a future meeting of the Committee, such reasons to include the proposal being contrary to Local Plan Policy, in particular Policy H6 in that a development of this size would be totally unsustainable in this location; and*
- (b) *that application SPA/15623/4 – CA be approved subject to the condition set out in the report.*

DC.239 CHI/17014/3 – DEMOLISH EXISTING DWELLING. ERECTION OF THREE NEW DWELLINGS. SUMMERCLIFFE, SOUTH ROW, CHILTON

Councillor Paul Bizzell 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 noted that one additional letter had been received from the applicant's agent referring to highway matters and offering to provide some measures

suggested by the County Engineer, such as a footway link and the deletion of gates at the access. The agent had also referred to the Parish Council's comments advising that whilst the proposal was for 3 dwellings, there was a net gain of 2 dwellings only and that the design principles had been adhered to and the proposal was not out of character.

Mr I Thompson made a statement on behalf of Chilton Parish Council objecting to the proposal commenting that the Parish Council was not adverse to development but considered that two dwellings only could be accommodated on the site. He further raised concerns relating to matters already covered in the report and specifically highlighted concerns regarding traffic; on street parking; traffic reversing into the narrow road; pedestrian and cyclist safety; loss of light to the property to the north; over development and proximity. He reported that the Parish Council considered the proposal contrary to Policies H11 and H5 of the Local Plan and out of character with the village.

Mr Martin, the owner of the neighbouring property "Heathers" also raised concerns relating to matters covered in the report. He specifically referred to proximity explaining that there was a side access on his boundary and that the main front entrance to the proposed property would be about 6 feet from his front door resulting in loss of light, loss of privacy and disturbance. He also commented on concerns regarding on street car parking and traffic congestion.

Mr R Cadman, the owner of "Rosedale" adjacent the application site, raised concerns regarding the proximity of one of the proposed dwellings which would be 1.5 metre away from his property; noise; disturbance; loss of light; loss of privacy and over development.

Mr Whitfield, the applicant's agent made a statement in support of the application. He specifically refuted the comments of the Parish Council commenting that limited weight should be given to the policies in the Emerging Local Plan in that some policies had been the subject of objection and the Inspector's view on these had yet to be received. He referred to the concerns raised regarding loss of light, suggesting that there might be marginal infringements to "Heathers" only. He explained that there would be no significant loss of sun light or day light generally. He drew Members' attention to the planning merits of the application reporting that there was no objection to the principle of development; the County Engineer had no objection in terms of highway traffic, safety or congestion; the design was in accordance with national guidance; the site was not in the Conservation Area; a footway would be provided; and main planning considerations were met. He suggested that there was no reason to refuse the application and that conditions should be imposed to address concerns raised as appropriate.

The local Member spoke against the application suggesting that the proposal was a step too far. She explained that the proposal was inappropriate on this confined site. She expressed concern regarding the proximity of the side front door to the neighbouring dwelling which would lead to disturbance and loss of privacy. Whilst welcoming the footway which she consider would make the area safer for pedestrians she questioned whether this would lead to a further narrowing of an already very narrow road way. She advised that on and off street parking was already a problem in this area. She referred to other development in the village raising concerns regarding the cumulative effect of this. She advised that she considered the development unneighbourly; over development and that there would be parking problems.

Another Member spoke in support of the application noting the views of the County Engineer and the advice of the Officers. Reference was made to the comments of the Inspector on an appeal allowed nearby and it was suggested that in this context the current application was acceptable although an addition condition to address slab levels would be appropriate.

One Member referred to the proximity of the proposal with the neighbouring property and sought advice as to whether re-siting one of the dwellings had been discussed with the applicant. The Officers confirmed that the gap was under 2 metres but advised that a fence

on the boundary was already in place. The application had been considered as presented. The Officers advised that consideration needed to be given to the harm caused and that proximity in itself did not necessarily mean that harm would be caused, as was considered the case with this proposal, notwithstanding that there were windows on that elevation facing the neighbour.

By 12 votes to 5 it was

RESOLVED

that application CHI/17014/3 be approved subject to: -

- (1) the conditions set out in the report;*
- (2) further conditions to require a footway link, the removal of the gates from the scheme at the access and slab levels to be agreed.*

DC.240 CHI/17951/1-X – ERECTION OF A DETACHED HOUSE EASTCOURT, MAIN STREET, CHILTON

Councillors Terry Cox, R T Johnston, Briony Newport and Margaret Turner had declared a personal interest in this item and in accordance with Standing Order 34 they remained in the meeting during its consideration.

Mr F Dumbleton made a statement objecting to the application raising concerns relating to matters already covered in the report. He specifically referred to increased traffic and that lack of an onsite turning area which had been a requirement for any new properties in this street for many years. Finally he reported that the Parish Council objected to the dwelling because it was considered that it would adversely affect the amenity of the area.

Mr Howard made a statement also objecting to the application. He reported that he concurred with the views of the Parish Council and confirmed that neither a turning nor parking area on site was proposed which had been a requirement for all new buildings in this area since the middle of the 1960's.

The local Member agreed that the development was inappropriate.

By 17 votes to nil, it was

RESOLVED

that application CHI/17951/1 – X be refused for the reason set out in the report.

DC.241 ECH/19329-X – DEMOLITION AND REPLACEMENT OF DWELLING. LITTLE WOODHILL FARM, WOODHILL LANE, EAST CHALLOW

One Member questioned the surface material of the track, suggesting that this should be in keeping with this rural location. In response the Officers advised that a scheme would need to be submitted and approved, however, there were a number of surface options which would be acceptable.

Members supported the application but questioned the positioning of the “red line” noting that no curtilage area was shown.

By 17 votes to nil, it was

RESOLVED

that the Chief Executive be delegated authority to approve application ECH/19329 – X subject to

- (1) the conditions set out in the report; and*
- (2) a further condition requiring the applicant to submit and agree a plan showing the curtilage of the dwelling.*

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

None.

The meeting rose at 9.30pm.