

# DC.136

## MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE

HELD AT THE GUILDHALL,  
ABINGDON ON MONDAY, 30TH  
JANUARY, 2006 AT 6.30PM

### Open to the Public, including the Press

PRESENT:

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

SUBSTITUTE MEMBER: Councillor Joyce Hutchinson for Councillor Jenny Hannaby.

NON MEMBER: Councillor Robert Sharp.

OFFICERS: Martin Deans, Mike Gilbert, Carole Nicholl, David Quayle, Laura Hudson and George Reade.

NUMBER OF MEMBERS OF THE PUBLIC: 27

### DC.242 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 Jenny Hannaby.

### DC.243 MINUTES

The Minutes of the meetings of the Development Control Committee held on 19 December 2005 and 3 January 2006 were adopted and signed as correct records subject to the following amendment: -

3 January 2006 – Minute DC.241 – ECH/19329-X – the addition of the words “in consultation with the Chair and/or Vice-Chair of the Development Control Committee” after the word “authority” in the resolution.

### DC.244 DECLARATIONS OF INTEREST

Members declared interest in reports 208/05 and 215/05 – Planning Applications as follows: -

<u>Member</u>	<u>Type</u>	<u>Item and Declaration</u>
Councillor Joyce Hutchinson	Personal	LRE/957/63-CA – she resided in Letcombe Regis
Councillor Briony Newport	Personal	NHI/9231/4 – she was a Member of the Parish Council but had had no involvement in discussions of this application
Councillor Margaret Turner	Personal & Prejudicial	WCH/1974/12 – the speaker was known to her is so far as he worked with her on the parish Council
Councillor	Personal	STA/3373/8 – he knew the applicant

Robert Sharp

Councillor  
Jim Moley

Personal &  
Prejudicial

WAN/5829/3 – he was a Member of Wantage Town Council and had commented on this application

Councillor  
Margaret Turner

Personal

IWAN/5829/3 – she knew the applicant

Councillors  
Matthew Barber  
Roger Cox  
Terry Cox  
Tony de Vere  
Richard Farrell  
Richard Gibson  
Joyce Hutchinson  
Peter Jones  
Monica Lovvatt  
Juile Mayhew Archer  
Jim Moley  
Briony Newport  
Jerry Patterson  
Terry Quinlan  
Margaret Turner  
Pam Westwood  
John Woodford

Personal

KBA/19343 – they were acquainted with the resident of the property opposite the application site

## DC.245 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair welcomed Councillor Jim Moley as a new Member of the Committee.

The Chair reminded Councillors and members of the public to switch their mobile telephones off during the meeting and to listen to the proceedings in silence.

The Chair reminded Members that there would be a training evening on Section 106 Agreements on Tuesday 7 February 2006 at 7.00pm in the Civic Hall, Wantage.

Finally the Chair reminder Members that application ECH/5231/12-D had been withdrawn from the agenda.

## DC.246 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

## DC.247 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

## DC.248 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33

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

DC.249 MATERIALS

None.

DC.250 APPEALS

The Committee received and considered an agenda report which set out details of two appeals which had been dismissed by the Planning Inspectorate.

One Member thanked the Officers for appending the appeal decision notices. He welcomed the appeal decisions in both cases and specifically asked Members to note the following comments: -

- Just because a house was small and set in substantial grounds did not mean that it could be extended without reducing the openness of the Green Belt. The fact that a house was well screened did not in itself justify inappropriate development. Assertions of that type were raised frequently but were rarely accepted precisely because they could be repeated too often, leading to incremental erosion of the Green Belt.
- Just because a site which was the only plot of any size remaining undeveloped in the area, it did not follow that it ought to be developed. The Government's Policy Guidance Note 3 – Housing (PPG3) encouraged the more efficient use of land for housing but not at the expense of design and layout consideration which ought to be informed by the wider context having regard to both neighbouring buildings and the local townscape.

The Member suggested that a training session where appeal decision notices were perused and the main points extracted might be beneficial

*RESOLVED (Nem com)*

*that the agenda report be received.*

DC.251 FORTHCOMING PUBLIC INQUIRIES AND HEARINGS

The Committee received and considered an agenda report which set details of forthcoming public inquiries and hearing. It was commented that some dates had not been included and the Officers were asked to provide this in the next report.

*RESOLVED (Nem com)*

*that the agenda report be received.*

DC.252 TREE PRESERVATION ORDER (FARINGDON) NO.9 2005

The Committee received and considered report 207/05 of the Landscape Officer (Arboriculture) which advised that a Provisional Tree Preservation Order had been made in respect of a tree in the rear garden of 72 Park Road.

Two of the local Members raised no objection to confirming the Order.

By 17 votes to nil it was

*RESOLVED*

*that Tree Preservation Order (Faringdon) No.9 be confirmed.*

## **PLANNING APPLICATIONS**

The Committee received and consider reports 208/05 and 215/05 detailing planning applications, the decision of which are set out below. Applications where members of the public had given notice that they wished to speak were considered first.

### DC.253 LRE/957/63 - CA - DEMOLITION OF ALL BUILDINGS EXCEPT THE LODGE, LETCOMBE LABORATORY, LETCOMBE REGIS

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

It was reported that the applicants had now lodged an appeal against non determination and therefore the Committee was asked to consider the reason it would have agreed had the Council been able to determine the application.

By 16 votes to nil with 1 of the voting Members not being present it was

*RESOLVED*

*that had the Council been able to determine the application, application LRE/957/63-CA would have been refused for the reason set out in the report.*

### DC.254 ECH/5231/12-D - NEW GIRLS SCHOOL, INCLUDING TEACHING AND RESIDENTIAL ACCOMMODATION, CHAPEL, ACCOMMODATION, PLAYING FIELDS AND TENNIS COURTS. CHALLOW PARK, CHALLOW ROAD, WANTAGE

As referred to elsewhere in these Minutes, this application had been withdrawn from the agenda to allow further discussions with the applicant on the proposal.

### DC.255 APT/9217/1 - DEMOLITION OF EXISTING HOUSE AND CONSTRUCTION OF A REPLACEMENT DWELLING, WOODLANDS, MILLWAY LANE, APPLETON

Further to the report the Committee was advised that there might be a discrepancy in the plans regarding the red line and the extent of the residential curtilage. It was explained that comments had not been received from the Consultant Architect. However, comments had been received from the Architects' Panel in support of the proposal subject to issues regarding detail. The Panel felt that the proposal was acceptable in this location. The Committee was advised that should it be minded to approve the application, authority to do so should be delegated to the Chief Executive to further investigate these matters.

It was reported that the Environment Agency had now withdrawn its objection subject to a number of conditions, namely (a) that there be no raising of ground levels across the site; (b) that there be no storage within the floodplain; and (c) that any walls and fences should be permeable to flood water. It was suggested that should the Committee be minded to approve the application these conditions should be attached to any permission.

Mr Smith made a statement on behalf of the Parish Council raising concerns relating to matters already covered in the report. He specifically commented that this was a substantial house and raised concerns that the design made the house appear significantly larger and

there would be large red brick walls which would be clearly visible from the Thames Path spoiling the enjoyment of views from passers by in this Green Belt location. He further raised concerns regarding adverse impact on amenity; inappropriate development in the Green Belt; the car parking area and hardstanding being out of keeping with a dwelling; further consideration being needed regarding the elevations; adverse impact from high red brick walls above ground level; and the need to see beyond the 30% rule and consider the actual impact. Finally, he commented that there were some buildings shown on the plan that consultees knew nothing about.

Ms Roz Uren made a statement objecting to the application commenting that the peace and tranquillity of the surrounding area would be lost; some small neighbouring plots had developed into larger ones and the cumulative impact of this; technical anomalies; the devastating visual impact the proposal would have on the surrounding area; loss of character; the formality of a new building being out of keeping; the impact of the extensive landscaping; adverse impact from the proposed materials, namely red brick, and the setting of a precedent for future development.

The local Member John Woodford advised that there had been some concerns regarding development near the river bank in the past, and other properties had not had permitted development rights removed. He suggested that careful consideration should be given to materials and that he could see no reason to refuse the application.

Other Members supported the application also, although it was suggested by one Member that another issue to consider was the impact of the proposal in terms of leisure and its impact on users of the Thames Path. He realised that many people visited the area along the river, but notwithstanding this the Committee needed to consider the proposal in terms of its policy context. He referred to its size explaining that there was a 30% volume increase rule which the Committee must have regard to. He suggested that beauty was in the eye of the beholder and that he considered the design acceptable in terms of height and the use of red brick. However, he suggested that the use of good quality materials was important and asked that a condition be added to any permission requesting that they first be submitted to and approved by the Council. He asked that such materials be presented to the Committee for determination.

One Member referred to the comments of the Environment Agency concerning landscaping and it was explained that the landscaping shown on the plans was indicative only. It was noted that the landscaping was shown outside the application site and it was uncertain whether the scheme needed planning permission.

One Member expressed concern that views were sought from the Environment Agency and thereafter the Agency was asked to withdraw its objections.

By 15 votes to nil, with 1 abstention and 1 of the voting Members not being present during consideration of this item, it was

## *RESOLVED*

*that the Chief Executive in consultation with the Chair and/or Vice of the Development Control Committee be delegated authority to approve application APT/9217/1 subject to the following:*

- (1) the Officers investigating a discrepancy in the plans regarding the extent of the residential curtilage and the issues regarding detail raised by the Architects' Panel;*
- (2) the conditions set out in the report;*

- (3) *further conditions to provide (a) that there be no raising of ground levels across the site; (b) that there be no storage within the floodplain; (c) that any walls and fences should be permeable to flood water; (d) that materials be first submitted to approved by the Planning Authority; and*
- (4) *materials being submitted to Committee for approval.*

DC.256 NHI/9231/4 - CONVERSION AND EXTENSION OF EXISTING DWELLING TO FORM 5 X 1 BEDROOM FLATS, 25 ARTHRAY ROAD, BOTLEY

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

Mr A Griffiths made a statement on behalf of the Parish Council raising concerns relating to matters already covered in the report. He commented that inadequate attention had been given to the environment surrounding the site. He explained that this was not a quiet area next to the shop, but a busy thoroughfare for traffic including buses and there was an existing problem with on street parking. He commented that there was no objection to the principle of conversion but that a revised scheme for four flats without the need for the extension would allow a greater parking and turning area within the site.

Mr R Wilkinson speaking on behalf of the applicant reported that the access was some 30 metres from the corner and that whilst there were concerns regarding parking there was adequate room for an additional car parking space and there were double lines along the road and therefore a parking space had not been lost as a result of the access being created. He explained that the proposal would not result in overdevelopment and that the site was capable of accommodating this development. He reported that the footprint of the existing dwelling was only 15% of the total site area and the proposal would be a mere 17.5%. Finally he advised that the proposal would provide much needed accommodation and accorded with planning policies.

In response to a question raised, the Officers reported that the overall percentage increase from the original building was unknown. However, this was not significant as volume restrictions were only applicable in the Green Belt and the proposed extension was subordinate to the main dwelling

By 14 votes to 1, with 1 abstention and 1 of the voting Members not being present during consideration of this item it was

*RESOLVED*

*that application NHI/9231/4 be approved subject to the conditions set out in the report.*

DC.257 WCH/1974/12 - CONVERSION OF RESTAURANT INTO DWELLING. ERECTION OF NEW COTTAGE. REVISED ACCESS. THE LEATHER BOTTLE, CHALLOW STATION, WEST CHALLOW

Councillor Margaret Turner 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.

The Committee noted that the application was for conversion to one single unit and not two as shown on the plan which was incorrect.

Mr S Lilly speaking on behalf of the applicant in support of the application reported that he had met with the local District Councillor Andrew Crawford on site who was supportive of the single new cottage proposed. He explained that all that was being sought was approval for two units and that the applicant was willing to enter into a section 106 agreement to this effect. He reported that the proposal would result in highway improvements. He reminded the Committee of its consideration of an application at the Horse and Jockey Public House at Chilton when the view of Members then was that a car park was part of the built up area. He suggested that there was a similar case here and asked the Committee to be consistent in its decision making. He commented that the applicant sought to improve the rural character of the area and that the premises had now stood empty for two years resulting in maintenance and security issues on and off site. He referred to the Prince of Wales Public House advising that this site was not similar in any way, in that it had enclosed hedges and fences and that the Inspector's comments should be disregarded. Finally he reported that the proposal was a modest thatched reproduction cottage.

Members noted that the application had been presented to the Committee at the request of the local Member. It was commented that there was an expectation that in such cases the local Member should be present to speak to the application and that the Vice-Chair should write to Councillor Crawford in this regard.

One Member advised that he would have agreed that the application should be refused but for the extant permission for a motel. If the motel had been constructed then there would be no doubt that the Officers would have recommended approval of this application. He suggested that if development could be restricted to two properties then it would be a sensible reuse of the site. Also he considered that there should be Section 106 to restrict development to two units and to prevent further development of the car parking area.

One Member spoke against the application suggesting that approval would set a precedent for development in the open countryside.

In response to a question raised as to whether a car park was previously developed land it was explained that a car park was a hard surfaced area and was therefore previously developed land. However, just because an area was previously developed land, that in itself did not necessarily mean that it should be developed.

One Member referred to the analogies made to the Horse and Jockey at Chilton explaining that that site was within walking distance of a church, school and shop etc. and this site was not.

Other Members spoke in support of the application explaining that there would not be an increase in traffic and that the area would be improved. He questioned what would be done with the site if some modest development as now proposed was not accepted.

The Officers responded that what was important was the principle. The proposal was clearly contrary to policy and Members needed to be clear regarding the policy context of this site. It was explained that the conversion of the existing building into a dwelling would be acceptable because the building was already there.

One Member questioned why in this case the Committee was being advised to give limited weight to the extant permissions. The Officers clarified that when considering the previous application the policy context was associated with a motel proposal and related to issues concerning tourism, economic factors and leisure. These were totally different to the issues surrounding the current application for a new dwelling. Also, the likelihood of the extant planning permission being implemented was a material consideration. The fallback position was unlikely due to the current demand for motel accommodation in this location.

By 11 votes to 5 with 1 of the voting Members not being present during consideration of this item it was

*RESOLVED*

*that application WCH/1974/12 be refused for the reason set out in the report.*

DC.258 STA/3373/8 - CHANGE OF USE FROM AGRICULTURAL TO B1 USE. HILL FARM, GAINFIELD

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

The Committee noted that the application was for a light industrial B1 use. A previous application had been considered in 2002 when it had been agreed that permission be granted subject to a legal agreement being entered into with a named occupant. In relation to the current application, it had not been possible to secure a named tenant despite two advertisements by the applicant.

Further to the report, the Committee noted that letters had been received from the owners of the adjacent properties reiterating previous concerns. Furthermore, one letter had been received from the owner of the neighbouring barns raising concerns that the Council should stand by its previous decision that a named occupant be required.

Mr Nick Laister made a statement on behalf of the neighbouring residents objecting to the application, raising concerns regarding the creation of an industrial estate in the open countryside. He reported that Members had consistently stated that the occupier should be named and he could see no reason why the Committee would now have a changed opinion. He commented that the Committee had been concerned regarding noise attenuation measures and he reported that planning policy guidance stated that the re-use of properly constructed buildings would be appropriate which was not the case here. He suggested that approval of the application would set a precedent for industrial development in the open countryside and he drew Members attention to a letter circulated raising these concerns.

Mrs Hearn, the applicant, made a statement in support of the application, referring to the advertisements seeking a named occupier. Any enquiries received had diminished because without the benefit of planning permission interest was non-existent. She commented that part of the application was retrospective and she specifically referred to the milking business and questioned whether planning permission was required because this was an agricultural use. She commented on concerns regarding toxic waste, advising that this was not the case and should be discounted. She advised that the County Engineer had no objection and that there were no objections raised from Environmental Health except for hours of use. She referred to traffic, advising that there existed a right of way and the traffic level would be reduced. He advised that a farm diversification plan had been submitted and that she was willing to abide by the conditions imposed on the previous permission. Finally, she sought approval of the application to resolve the unacceptable impasse.

The local Member spoke in support of the application advising that there would be fewer vehicle movements and that it was not possible for the applicant to secure a named user without the benefit of planning permission.

Members supported the application noting that by its definition a B1 use would not cause any nuisance.

By 15 votes to 1, with 1 abstention, 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/3373/8 subject to:-*

- (1) the submission of a Farm Diversification Plan;*
- (2) the applicant entering into a Section 106 obligation to secure the benefits of the farm diversification plan; and*
- (3) conditions relating to landscaping and restricting the use of the buildings to Class B1(C).*

DC.259 WAN/5829/3 - DEMOLITION OF EXISTING BUILDING. ERECTION OF 2 DWELLINGS. 27A GROVE STREET, WANTAGE

Councillor Jim Moley 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.

Councillor Margaret Turner 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 comments of the County Engineer had not yet been received but it was noted that he had had no objection to the two previous schemes.

Mr Randall made a statement in support of the application, commenting that the current proposal was similar to the previously approved scheme and that the main change was the roof trusses. He commented that the proposal would result in the conservation of some of the history of the building and that the design was in keeping with the surrounding area. He advised that there would be extra lighting from roof lights but this would not result in any overlooking because of the height of the roof. He suggested that the current proposal was an improvement on the previous scheme. Finally, he referred to the insertion of a small window which he indicated could be obscure glazed.

One of the local Members questioned whether the entrance of Grove Street would remain as a separate access. The Officers responded that there was an access currently in place and that the site was separate from the Limborough Road development.

By 16 votes to nil, with one of the voting Members not being present during consideration of this item, it was

*RESOLVED*

*that application WAN/5829/3 be approved subject to the conditions set out in the report and a further condition to require that the car parking spaces should be provided as set out on the plan submitted.*

DC.260 SUN/7557/5 - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF ONE DWELLING. CHARLOTTE'S, SUNNINGWELL

The Committee noted that the overall height and volume of the current proposal would be similar to that permitted. The Officers drew attention to the report explaining that the current

proposal was inappropriate in terms of policy but there were special circumstance as reported at the last meeting which justified approval.

Mr Nicholl, the Chair of Sunningwell Parish Council, made a statement objecting to the application, raising concerns relating to matters already covered in the report and highlighting that the site was in the Green Belt outside of the village envelope. He suggested that whilst it looked like there was a dwelling there already, there was not, and the current proposal was unacceptable. He advised that the Parish Council did not agree that there were special circumstances and that the proposal was tantamount to a two storey building which would be detrimental to the character and appearance of the area. He reported that the volume had doubled even though the footprint remained the same as the previously submitted scheme. He advised that there would be a significant increase in the roof height and highlighted that there was a smaller building still on site. He suggested that the area should be maintained as a paddock and he referred to the concerns expressed by neighbours objecting to the application.

Mr Logan speaking on behalf of the applicant, made a statement in support of the application, advising that the site already had planning permission for development, so the principle of the proposal had been agreed. He commented that an amended design had been sought to ensure that the proposal was more in keeping with the locality. There had been significant consultation with the Officers and the proposed dwelling would remain on the existing footprint but would be more in keeping with Sunningwell. He referred to the conditions imposed on the previous permission, all of which were accepted by the applicant for this development. Finally, he advised that the smaller building shown on site was a garage which had been omitted from the original scheme. Plans had been submitted to re-site the garage nearer the house.

One Member expressed concern regarding the height of the building and suggested that it would have been beneficial for section drawings to have been presented. To this end it was considered that should the Committee be minded to approve the application, an additional condition should be added to require that the slab levels should first be inspected before proceeding with the building works and also specifying that notwithstanding the drawings, the roof was constructed at an angle of 40 degrees. It was suggested that Building Control should be asked to look carefully at this proposal and in view of the unusual circumstances in this case, this was considered reasonable.

Other Members spoke against the application in terms of development in the Green Belt outside the village envelope and the proposed height of the dwelling. With reference to the existing planning permission, Members sought clarification to which the Officers advised that the principal issue in this case was that there was a viable fallback position in that the existing planning permission was capable of being implemented.

One Member referred to the positioning of the garage, seeking further clarification of its exact location. To this end it was agreed that the Opposition Spokesman should be included in the consultation for approval of the application.

By 13 votes to 2, with 2 abstentions, it was

*RESOLVED*

*that the Chief Executive, in consultation with the Chair and/or Vice-Chair and the Opposition Spokesman of the Development Control Committee, be delegated authority to approve application SUN/7557/5 subject to:-*

- (1) *referral of the application to the Government Office of the South East (GOSE) and confirmation that the Deputy Prime Minister does not wish the application to be the subject of a call-in;*
- (2) *conditions to include materials, slab levels, removal of all existing buildings, removal of development rights, contaminated land, definition of the residential curtilage, access and parking; and*
- (3) *further conditions to provide for slab levels and Building Control inspecting the site prior to building works commencing and notwithstanding the drawings, the angle of the roof pitch should be no greater than 40 degrees.*

DC.261 SPA/15623/3 - DEMOLITION OF REDUNDANT FARM BUILDINGS AND ERECTION OF 5 HOUSES. HOME FARM, WEST STREET, SPARSHOLT

Members noted an amendment to the report in that the application had been considered by the Committee at its meeting held on 3 January 2006.

It was reported that the applicants had now lodged an appeal against non determination and therefore the Committee was asked to consider the reason it would have agreed had the Council been able to determine the application.

By 13 votes to 2, with 1 abstention and 1 of the voting Members not being present, it was

*RESOLVED*

*that had the Council been able to determine the application, application SPA/15623/3 would have been refused for the reason set out in the report.*

DC.262 KBA/17591/1-D - ERECTION OF A DWELLING AND GARAGE. LAND TO REAR OF 22/24 STONEHILL LANE, SOUTHMOOR

It was noted that the access had been permitted at the outline stage.

By 16 votes to nil, with 1 of the voting Members not being present during consideration of this item, it was

*RESOLVED*

*that application KBA/17591/1-D be approved subject to the conditions set out in the report.*

DC.263 DRA/18527/1 - ERECTION OF A TWO STOREY SIDE EXTENSION. (AMENDED PLANS). 10 MARCHAM ROAD, DRAYTON, ABINGDON

The Committee noted that no representations had been received relating to this application.

By 16 votes to nil with 1 of the voting Members not being present during consideration of this item, it was

*RESOLVED*

*that application DRA/18527/1 be approved subject to the conditions set out in the report.*

DC.264 KBA/19343 - CONSTRUCTION OF 6 AFFORDABLE HOUSES WITH NEW ACCESS. LAND OPPOSITE APPLEBY HOUSE, OXFORD ROAD, KINGSTON BAGPUIZE

All Members of the Development Control Committee had declared a personal interest in this item and in accordance with Standing Order 34 they remained in the meeting during its consideration.

The Committee noted that concerns had been raised regarding the location of the substation and the loss of a sycamore tree. Objections received from neighbours had been addressed as set out in the report. Members were advised that consideration needed to be given in terms of the rural exceptions policy and that should they be minded to approve the application, they were asked to delegated authority to do so to the Chief Executive to enable a Section 106 obligation to be entered into to control the occupancy of the affordable housing.

One Member spoke against the application expressing the concerns reported to him of local residents namely that the site was too far out of the village to relate to it; residents possibly with young children would need to cross the A415 which was a busy road and on street parking which was already a problem in this area as a result of the nearby development. He asked that should the Committee be minded to approve the application a contribution be sought towards the provision of a pedestrian crossing on the A415. He commented that Oxford Road was very busy and not the quiet cul-de-sac it once was. Many vehicles associated with the neighbouring development parked on the road and there were safety issues which needed to be considered.

Another Member concurred that the development was not appropriate in this location which was outside the village envelope.

One Member spoke in support of the application advising that the parking standards had been complied with although he agreed that a financial contribution towards a pedestrian crossing should be investigated. Furthermore, he suggested that additional conditions should be attached to any permission namely to (a) provide that materials, including materials for the walls should first be approved by the Planning Authority with such materials being agreed by the Committee; (b) that a panel of materials should be erected on site; (c) the stone wall on the main road should be of a quality to match Appleby House opposite; and (d) the boundary wall should extend around the site frontage to plot no 1. Furthermore a Section 106 Agreement should be sought to control the occupancy.

One Member referred to consideration of the neighbouring development commenting that at that time the County Council had not been supportive of a crossing.

By 11 votes to 1 with 4 abstentions and 1 of the voting Members not being present during consideration of this item, 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 KBA/19343 subject to the following :-*

- (1) satisfactory progress on the issues of the location of the electricity sub-station and the nature of the boundary treatment on Oxford Road;*
- (2) a Section 106 Agreement being entered into to control the occupancy of the affordable housing.*

- (3) *conditions including; materials, (including materials for walls, being first approved by the local Planning); architectural detailing; landscaping; boundary treatment including the boundary wall extending around the site frontage to plot no 1; access and parking; and the design and location of the electricity sub-station;*
- (4) *that materials should be presented to the Committee for approval it being noted that the stone wall on the main road should be of a quality to match Appleby House opposite and that the applicant should be requested to erect a sample panel of materials on site; and*
- (5) *investigation of the possibility of a pedestrian crossing on the A415.*

DC.265 WAN/19364 - TWO STOREY EXTENSION, 46 BARWELL, WANTAGE

The Committee was advised that should it be minded to approve the application a further condition should be added to any permission to require that the extra parking space be shown.

In response to a question raised in relation to what constituted a business, the Committee was advised that the question to be answered was how material was the business use in relation to the principal residential use of the building. If such use was ancillary and incidental to the main use then planning permission was not required. This was a judgement based on a number of factors such as the number of employees, the number of customers visiting, deliveries, etc.

One Member suggested that an informative should be added to any permission stating that planning permission was granted on the applicant's assurance that the business use would be restricted to no more than four visits by customers a week. A further application for planning permission would be required for a change of use at a later date should the business use expand to a level which could no longer be considered ancillary to the residential use of the property.

By 16 votes to nil, with 1 of the voting Members not being present during consideration of this item it was

*RESOLVED*

*that application WAN/19364 be approved subject to the following: -*

- (1) *the conditions set out in the report;*
- (2) *a further condition requiring that the car parking space be shown; and*
- (3) *an informative stating that planning permission is granted on the applicant's assurance that the business use will be restricted to no more than four visits by customers a week. A further planning permission will be required for a change of use at a later date should the business use expand to a level which can no longer be considered ancillary to the residential use of the property.*

DC.266 LBA/19367 - ERECTION OF A THREE BEDROOM DWELLING WITH ASSOCIATED PARKING. PORLOCK, GRAMPS HILL, LETCOMBE BASSETT

The Committee was advised that additional correspondence had been received reiterating concerns to matters already covered in the report and providing a copy of a statement to be read out later in the meeting by one of the speakers.

It was noted that revised plans had been received clarifying the ownership of the land and amending one boundary line. It was noted that ownership was a private matter. Concerns had been raised regarding drainage and it was noted that this was a Building Regulations issue. The Committee was advised that should it be minded to approve the application an additional condition should be added to any permission relating to the amended plans.

Mr Carter made a statement objecting to the application raising concerns regarding the loss of amenity due to height; loss of sunlight; loss of privacy; overlooking; spoiling of the Area of Outstanding Natural Beauty; overshadowing of the Village Hall; adverse visual impact of the large modern car park; loss of visual amenity generally, the setting of a precedent; and the southern boundary being shown on the map being drawn over the neighbouring land to give an impression of inadequate access. He suggested that the use of his land would be required for the scheme to be implemented and that consent would not be given. Finally he suggested that the proposal was inconsistent with planning policies.

Sarah Wills speaking on behalf of the applicant made a statement in support of the application reporting that the proposal was for a modest dwelling. She explained that the side garden area had been an allotment and that every effort had been made to ensure the plans were accurate. She reported that she was confident that the revised plans were accurate and that a house could be accommodated on the site which had development on three sides. She commented that the broad principle of development accorded with Local Plan policies and that the design was sensitive to the area. She clarified that the proposal was for a modest three bedroom property and had been designed having regard to the surrounding area and development, especially to the north and that materials would match those on the existing village hall. She explained that this was a discreet location and not prominent from the street scene. Therefore the house would integrate well. Finally she claimed that the parking arrangement was not unusual; there were rights of access which currently existed; there would be no overlooking; there would be screening and the design was a high quality.

One Member whilst not objecting to the application, queried whether any protection could be given to the Village Hall to ensure that it could continue to host events without the fear of neighbour nuisance complaints in terms of noise. One Member referred to just such a case in Kennington where complaints had been received regarding noise and considerable expense had been incurred in providing appropriate noise attenuation measures.

The Officers explained that there were already a number of dwellings in close proximity to the Village Hall and that a judgment needed to be made as to whether this additional dwelling would make any material difference.

It was suggested that permitted development rights should be removed to prevent the insertion of windows in the end wall of the new house facing the Village Hall. To this end it was considered that condition No. 9 set out in the report could be amended to refer to the south west elevation.

By 16 votes to nil with 1 of the voting Members not being present during consideration of this item, it was

*RESOLVED*

*that application LBA/19367 be approved subject to the following: -*

- (1) the conditions set out in the report with condition No.9 being amended to prevent the insertion of windows in the south west elevation as well as the north west elevation;*
- (2) an additional condition to provide for amended plans; and*

(3) *a further condition to provide for the parking area as shown on the submitted plans.*

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

None.

The meeting rose at 9.58pm