

# DC.184

## MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE

HELD AT THE GUILDHALL,  
ABINGDON ON MONDAY, 10TH  
APRIL, 2006 AT 6.30PM

### Open to the Public, including the Press

#### PRESENT:

MEMBERS: Councillors Terry Quinlan (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 and Pam Westwood.

SUBSTITUTE MEMBERS: Councillor Mary de Vere (In place of Jenny Hannaby) and Janet Morgan (In place of John Woodford).

NON MEMBERS: Councillors Yvonne Constance, Terry Fraser, Jim Halliday, Laurel Symons.

OFFICERS: Sarah Commins, Martin Deans, Mike Gilbert, Laura Hudson and Carole Nicholl.

NUMBER OF MEMBERS OF THE PUBLIC: 42

#### DC.316 NOTIFICATION OF SUBSTITUTES AND APOLOGIES FOR ABSENCE

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

#### DC.317 MINUTES

The Minutes of the meetings of the Committee held on 13 and 27 February and 13 March 2006 were adopted and signed as correct records.

#### DC.318 DECLARATIONS OF INTEREST

Members declared interests in report 275/05 – Planning Applications as follows: -

<u>Councillor</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref</u>
Matthew Barber, Peter Jones	Personal	ABG/19126/1- X	They were acquainted with one of the objectors	DC.327
Monica Lovatt	Personal and Prejudicial	ABG/19126/1- X	She was acquainted with one of the objectors	DC.327
Laurel Symons	Personal	ABG/19126/1- X	She was a Governor of Fitzharris School	DC.327
Julie Mayhew- Archer	Personal	ABG/19126/1- X	She was an Abingdon Town Councillor and was acquainted with one of the objectors in so far as he was a fellow Councillor and also she was	DC.327

acquainted with the applicants and Mr Watts had been a fellow Governor at Dunmore School

Terry Cox	Personal	ABG/19126/1-X	As part of his job he visited the schools in the area and his wife worked at the College	DC.327
Matthew Barber Terry Cox Roger Cox Briony Newport Jerry Patterson Pam Westwood	Personal	SPA/5718/10	They were acquainted with one of the Objectors who was also a County Councillor	DC.333

## DC.319 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

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

The Chair announced that the next meeting of the Development Control Committee scheduled to take place on 24 April 2006 had been cancelled.

The Chair announced for the benefit of members of the public that local Members were permitted to address the Committee to speak on applications in their wards, but were not allowed to vote unless they were Members of the Committee.

## DC.320 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

## DC.321 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

## DC.322 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33

Fourteen members of the public had given notice that they each wished to make a statement at the meeting, however one member of the public declined to do so.

## DC.323 MATERIALS

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

- (1) Former Bus Depot Site, Grove Street, Wantage, (WAN/906/6)  
By 17 votes to nil it was

*RESOLVED*

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

*Eternit Thrustone blue/black slate*

*Eternit E3000 Heather Brown slate  
Michelmersh Hampshire stock grey brown brick  
Michelmersh Hampshire stock ATR brick*

- (b) *that the use of the following materials be refused it being considered that the use of render on this block or an alternative brick would be preferable:-*

*Blockleys Kensington brick*

- (2) Land at Grove Technology Park, Downsview Road, Wantage, (ECH/18153/1)

By 17 votes to nil it was

*RESOLVED*

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

*Roof cladding – Trapezoidal Goosewing Grey  
Walling – Mini-rib profile cladding in Sirius and Orion (both metallic) and Arcline  
cladding in Orion (metallic)*

- (3) Demolition of dwelling and construction of 5 dwellings, 3 and 5 Mill Road, Marcham (MAR/18842)

By 6 votes to 5 with 3 abstentions it was

*RESOLVED*

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

*Natural Stone – Cotswold natural stone in natural grey  
Brick – Michelmersh Hampshire Orange /red brick*

## DC.324 APPEALS

The Committee received and considered an agenda item which advised of five appeals which had been lodged with the Planning Inspectorate for determination and three which had been dismissed.

*RESOLVED*

*that the agenda report be received.*

## DC.325 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.*

DC.326 ABG/15852/2 – RETROSPECTIVE APPLICATION FOR A FIRST FLOOR EXTENSION. 2  
KYSBIE CLOSE, ABINGDON

Mr R Carr made a statement objecting to the application raising concerns relating to matters already covered in the report. He specifically referred to the loss of light to his family bathroom. He compared the proposal to neighbouring houses where there was limited light to some windows explaining that these situations had been created at the original build stage and had resulted in loss of light to ensuite bathroom windows and not main family bathroom windows. He commented that the applicant had been advised that planning permission existed although this was not the case and he questioned why this had not become apparent to the applicant when he had purchased the property. He expressed concern that the extension was not set back and recommended refusal.

Mr Richard Patterson, the applicant made a statement in support of the application explaining that he had purchased the property which had been advertised as benefiting from planning permission. He commented that the lack of planning permission had not been highlighted during his purchase of the property and prior to the commencement of works he had informed the Council of his intention to do so. The Council had carried out inspections during construction and a building regulations certificate had been received. He expressed his support for the proposal commenting that the window affected was to a non habitable room and that daylight factors did not apply. He referred to the terracing affect, reporting that the proposal complied with the relevant policy. He explained that there would be little difference in terms of impact if the extension was set back half a metre. Finally, he referred to the significant amount of time this matter had been ongoing commenting that there was no reason to refuse permission.

One of the local Members referred to the confusion regarding whether there was planning permission and the difference between that and a Building Regulations Certificate. She asked Members to consider the proposal regardless of this commenting that whilst she had no concerns regarding the terracing affect, she was concerned regarding the serious adverse impact on the neighbour through loss of light to his bathroom window, which was about 1 metre away from the extension. However, she commented that it was difficult to determine whether pulling back the extension by a metre would improve the situation. She reported that the Town Council had suggested that the side wall facing the neighbour should be painted white, but again she was unsure whether that would improve the situation.

Another local Member expressed his concern regarding the history of this application and suggested that consideration of the proposal should be deferred to the next meeting when details of the history could be explained in full.

In response the Officers explained that the history of how the application had been processed was irrelevant and that Members should have regard to the planning merits of the proposal. Also the fact that the application was retrospective was not a material planning consideration.

One Member spoke in support of the application suggesting that Members needed to weigh up whether the presumption in favour of development was outweighed by the loss of light to the neighbour's bathroom window. He commented that the proposal was reasonable.

One Member spoke against the application suggesting that the proposal was too bulky and the adverse impact on the neighbouring property was sufficient to warrant refusal. He suggested that approval would set a precedent for other similar developments. Finally, he commented that whilst the Committee might be more concerned about the impact on habitable rooms, it did not necessarily mean that there should be no concern for the protection of other windows.

By 11 votes to 5, with 1 abstention it was

*RESOLVED*

*that application ABG/15852/2 – D be approved subject to the condition set out in the report.*

DC.327 ABG/19126/1-X – DEMOLITION OF EXISTING HOUSES AND CONSTRUCTION OF 21 DWELLINGS. 75 – 77 NORTHCOURT ROAD, ABINGDON

Councillor Monica Lovatt 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.

Councillors Matthew Barber, Terry Cox, Peter Jones, Julie Mayhew-Archer and Laurel Symons had each 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 the County Engineer had no objection to the proposal subject to conditions. It was reported that the Section 106 obligation was not completed and therefore the Committee was asked that should it be minded to approve the application, to consider adding a Grampian condition. Furthermore, Members were asked to add an additional condition removing permitted development rights for the insertion of windows in the side facing walls of the dwellings on plots 1, 2 and 10.

Mr A Bryden speaking on behalf of the Town Council made a statement objecting to the application. He raised concern regarding traffic, expressing surprise that the County Engineer had raised no objections. He referred to concerns regarding safety of pedestrians and cyclists along this busy road. He reported that there were two schools in the area resulting in about 500 children of primary school age travelling along this road. He commented on the severe traffic congestion at peak times and emphasised that the proposal would result in an increase in traffic. He advised that there were also secondary schools nearby resulting in excess of a further 900 children most of which walked or cycled in this area. He commented that it was difficult for pedestrians to walk against the flow of children at peak times. He commented that the proposal would result in the loss of a green area which would be detrimental to the character of the area. He advised that this was quoted as a reason for refusal of an application in Oxford Road where car parking at the front was considered harmful to the street scene. He considered that the circumstances were similar in this case. Furthermore, he argued that approval of the application would set a precedent for other similar developments.

Mr Carne made a statement objecting to the application raising concerns regarding increased traffic. He reported that peak times were between 8.00am and 9.00am and 3.00pm and 4.00pm during school terms times. There were three schools, and the majority of children used the footpath. He commented that the proposal would result in vehicles being required to cross the footpath to access Northcourt Road which would be extremely dangerous given the high number of pedestrians. He argued that there would be a large increase in vehicle movements. Finally, he reported that there had been two fatal accidents along Northcourt Road and he expressed real concerns regarding safety.

Gareth Williams also made a statement objecting to the application raising concerns regarding the affect of the proposal on the environment. He expressed regret at the loss of green space and commented that the proposal would harm the area and adversely impact on wildlife. He advised that this matter had not been addressed in the Officer's report. He referred to traffic congestion and to concerns regarding car parking in the lay-by opposite which resulted in cars reversing onto Northcourt Road at busy times. Finally, he reported that there would be a further fatal accident.

Neil Warner, the applicant's agent made a statement in support of the application. He commented on concerns regarding highway safety commenting that the County Engineer had raised no objection. He reported that Northcourt Road had adequate capacity to cope with additional traffic movements. Traffic speed was low due to the calming measures and residents were aware of the level of pedestrians at peak times. He reported that there were two additional parking spaces in excess of parking standards. He explained that the proposal would not harm the character or appearance of the area, which was diverse. He commented that there were flats opposite. He reported that the development ought to allow for a density of at least 50 dwellings per hectare. However, only 42 per hectare was proposed. The hedge would be retained and the dwelling would be set away from the site boundary so there would be no over looking. He commented that there would be space for boundary treatment. In response to comments regarding affordable housing, he explained that the number of dwellings proposed had been reduced in response to concerns raised regarding the number and not deliberately to come below the affordable housing threshold.

One of the local Members commented that the plans were inaccurate in that the nursery behind the development was not shown. She expressed concern that there was a risk that traffic from this development would add to the existing traffic congestion and pedestrian overcrowding at peak times. She expressed concern that drivers might try to use this development for dropping off their children which would mean that cars would cross the pavement. She emphasised that the retention of landscaping was vital and that the hedges were visually very attractive at this site, although they might restrict visibility for drivers exiting the site. Finally, she commented that it was regrettable that there would be no affordable housing.

Another local Member spoke against the application raising concerns regarding unneighbourliness and also that the style of housing was not in keeping on this site near the Northcourt Conservation Area. He suggested that one of the dwellings was too close to the neighbour. He referred to the site being near a school and college and that the proposal was too dense. Furthermore, he raised concerns regarding traffic and questioned whether the County Engineer was aware of traffic congestion on this road. He suggested that foot and cycle traffic were not recognised by the County Engineer. He referred to an Inspector's decision to refuse permission elsewhere and commented that approval of this application should similarly be refused. Finally, he commented that the proposal would set a precedent for further development and that this would cumulatively destroy the environment, character and appearance of the area. He suggested that this was the wrong application in the wrong place.

The local Member commented that should the Committee be minded to approve the application he had concerns regarding the car parking being sited to the front of the plot. He suggested that consideration should be given to the removal of the hedge to improve visibility at the access although he would wish the hedge to be retained. Finally, he expressed his regret that there was no affordable housing and he asked whether it would be possible for the Officers to explore this with the applicant.

Some Members spoke in support of the application advising that it would be reckless and unreasonable of the Council to disregard the advice of the County Engineer who was an expert in highways matters. It was emphasised that given that there was no objection from the County Engineer, it would not be possible to refuse permission of the application on highway grounds. Furthermore, it was considered that there were no material considerations to warrant refusal of the application. The Committee noted that the 13 week period for determination of the application would expire on 11 April. One Member suggested that delaying determination would impact on the Council's receipt of Planning Delivery Grant and could lead to a subsequent increase in Council Tax. However, the Officers advised that this was not a material planning consideration.

Other Members spoke against the application making the following comments: -

- The views of a highway expert were not needed in this area as it was so obvious that at peak times there was severe traffic congestion. It was suggested that Northcourt Road was one of the busiest roads in Abingdon, if not the County.
- Whilst the Council was required to consider development of brownfield sites, there needed to be a judgement made weighing up factors such as adverse impact on the environment. It was suggested that this proposal would be harmful in this regard and that a precedent would be set for similar development in the area.
- The increase in traffic would be harmful and pedestrian safety would be compromised.
- A car park at the front of the site would spoil the character and appearance of the road.
- The County Engineer's comments were technical and there was doubt that regard had been made to the complexity of traffic.
- The flats should be located to the rear of the site where they would be less visible.

One Member questioned whether the County Engineer had regard to pedestrian and cycle traffic in making his comments. In response the Officers advised that the County Engineer would be concerned with whether there was sufficient awareness and vision to allow a driver to act according to the situation on the road or pavement around the site.

It was proposed by Councillor Richard Gibson and seconded by Councillor Peter Jones that consideration of the application should be deferred to seek the views of an independent highways expert. However, on being put to the vote, this was lost by 6 votes to 8 with 2 abstentions (with 1 of the voting Members having withdrawn for consideration of this item).

By 9 votes to 7 (with 1 of the voting Members having withdrawn for consideration of this item) it was

*RESOLVED*

*that application ABG/19126/1-X be approved subject to: -*

- (1) *the conditions set out in the report;*
- (2) *a further condition to remove permitted development rights for the insertion of windows in the side facing walls of the dwellings on plots 1, 2 and 10; and*
- (3) *the following Grampian Condition: -*

*"the development hereby permitted shall not be commenced until a Section 106 Planning Obligation has been submitted to and approved in writing by the District Planning Authority, covering financial contributions towards education, libraries, waste management, museum services, social and healthcare and administration and monitoring charges."*

DC.328 ARD/17904/2 – DEMOLITION OF EXISTING GREENHOUSES AND OUTBUILDINGS AND ERECTION OF NEW DWELLING AND GARAGE. ARDINGTON HOUSE, CHURCH STREET, ARDINGTON

Mr A Gardiner the applicant's agent made a statement in support of the application commenting that the two main issues were whether the principle of development was acceptable and whether the land had been previously developed. He referred to PPG3 advising that local authorities were required to maximise the use of previously developed land and that areas where there had been permanent structures fell within that definition. He explained that green houses, a potting shed and boiler house had been permanent structures

on this site since Victorian times and therefore the land had been previously developed. He explained that he disagreed with the Council's argument that the growing of produce for Ardington House amounted to an agricultural use. He claimed that this argument would therefore need to be applied to all gardens, which was clearly unreasonable. He reiterated that the land was not agricultural land. He referred to Planning Policies H5, H10 and H11 and reported that the house was within the village. He commented that the proposal would not add to the structure and form of the area; there would be no loss of facilities and there would be improved parking. Finally, he reported that the site had been identified as suitable for development in the Parish's 10 year plan and that there had been no objections.

The local Member expressed his support for the proposal commenting that the area had been previously developed in that it had been the garden for Ardington House. He reported that the produce grown had been used for consumption at the house which he believed did not amount to an agricultural use. He considered that the site was within the village which he believed was spread over a wide area.

The Officers drew the Committee's attention to the notes attached to PPG3 referring to the curtilage of a dwelling, advising that it was not necessarily the case that all the land surrounding a house standing in substantial grounds could be considered appropriate to be redeveloped.

Some Members spoke against the application commenting that the site was outside the village envelope and that the land was not previously developed land. It was considered that the proposal would be harmful to the character and appearance of the area contrary to Local Plan policies and that approval would set a precedent for other similar applications in the open countryside

One Member spoke in support of the application disagreeing that one dwelling would have an urbanising affect.

By 10 votes to 5, with 2 abstentions it was

*RESOLVED*

*that application ARD/17904/2 be refused for reason set out in the report.*

DC.329 CUM/1225/6 – ALTERATIONS / RAISING OF ROOF OVER EXISTING DWELLING AND OVER PREVIOUSLY APPROVED TWO STOREY EXTENSIONS. 195 CUMNOR HILL, CUMNOR

Mr R Wilson made a statement on behalf of Cumnor Parish Council objected to the application raising concerns regarding adverse impact on the character and appearance of the area. He considered that the proposal would harm the street scene. He commented that the building would be larger than any other in the road, except for a hotel and as such would be out of keeping. Finally, he reported that raising the roof would enable a further 5 bedrooms to be added resulting in 13 bedrooms in total which he considered would be overdevelopment and detrimental to the street scene.

Mr R Pope, the applicant's agent made a statement in support of the application commenting that he agreed with the views of the Council's Officer in that there would be no adverse affect on either the character and appearance of the area or on the street scene. He explained that there would be no impact on neighbours and there had been no neighbour objections. He reported that the building would be lower than one house elsewhere in the road and that in view of the distances of the dwelling from the houses opposite there would no adverse impact



on the living conditions of the residents. Finally, he reported that the raised roof would remove a hidden valley and that there was no intention to provide further bedrooms as suggested.

Two Members spoke in support of the application commenting that the dwelling would be set back in a large substantial garden and there would be no impact on the amenity of neighbours.

By 17 votes to nil it was

*RESOLVED*

*that application CUM/1225/6 be approved subject to the conditions set out in the report.*

DC.330 GRO/16525/1 – PROPOSED ALTERATIONS FOR A MICRO WIND TURBINE ATTACHED TO THE SIDE OF THE PROPERTY. 7 MEMBURY WAY, GROVE

Parish Councillor A Harker had given notice that he wished to make a statement on behalf of the Parish Council, but he was not present at the meeting.

Mr C Collias the applicant made a statement in support of the application commenting that the main concern raised was the issue of noise. He explained that the type of turbine proposed was designed to be on a house. He referred to the levels of background noise commenting that the turbine would not be heard against it. He referred to the report highlighting that the LAeq 52.0 dB noise profile referred to had been achieved through an over-speed model. He asked that the correct facts concerning noise be established. He commented that there had been no complaint about noise with this model. He reiterated that it would not be heard. He referred to property values reminding Members that this was not a material planning consideration. Finally, he reported that ways to provide renewable energy would be part of Permitted Development Orders in the future.

One of the local Members whilst supporting efforts to use renewable sources of energy questioned whether the cumulative effect of many of these turbines would have an adverse impact in terms of noise and disturbance in high density residential areas.

One Member commented that it would be unreasonable of the Committee to approve the application against the advice of Officers. However, it was commented that the reasons set out in the report should be firmer and that evidence from an acoustic expert that there would be loss of residential amenity should be demonstrated.

It was proposed by Councillor Matthew Barber and by 14 votes to 3 it was

*RESOLVED*

*that consideration of application GRO/16525/1 be deferred to*

- (1) *ask the Environmental Health Officer to consider further the noise implications in the light of the evidence from the applicant in relation to this specific model of turbine;*
- (2) *ask the Environmental Health Officer to verify the typical noise profile of LAeq 52.0 dB referred to in the Technical Specification and give further advice on that to Members; and*
- (3) *ask the Environmental Health Officer to find out if there are any other sites where this model of turbine has been installed and if possible make an inspection of the same when the turbine is in situ and working and report thereon to Members.*

DC.331 GRO/19436 – ERECTION OF FRONT, SIDE & REAR STOREY EXTENSIONS. 1 LAUREL CRESCENT, GROVE

By 17 votes to nil it was

*RESOLVED*

*that application GRO/19436 be approved subject to the conditions set out in the report.*

DC.332 NHI/18135/2 – CONSTRUCTION OF TWO SEMI-DETACHED HOUSES AND FIVE FLATS (AMENDMENT TO PREVIOUS PERMISSION). 2 YARNELLS HILL, NORTH HINKSEY

Further to the report the Committee was advised that amended plans had been received showing the reintroduction of the chimney on the east elevation.

Dr Potter made a statement objecting to the application raising concerns relating to matters already covered in the report. He explained that he had lived in the neighbouring property for 40 years and considered that the proposal amounted to overdevelopment of the site and he would be adversely affected by the development. He considered that there would be too many houses and suggested that a condition to provide a physical boundary between the application site and his property should be added to any permission.

Mr Simkins the applicant's agent made a statement in support of the application which he explained was for a minor amendment to the consent granted in 2005. He commented that the applicant wished to use the roof space to provide increased headroom. He advised the Committee to consider the impact of the proposed changes, commenting that they were small and would not dilute the quality of the earlier scheme. He considered that the amendment would improve outlook. In terms of impact on the neighbours he explained that the ridge heights to be increased were on the element of the building furthest away from the neighbour and therefore there would be no impact. Finally, he commented that the vision at the access would be improved; the County Engineer had raised no objections and the proposal was supported by the Consultant Architect and the Architect's Panel.

The local Members raised no objection to the proposal but considered that there should be some boundary treatment and that this should be provided prior to the commencement of development.

The Officers explained that there would be a close boarded fence and retention of planting with more planting along the boundary with 108 Westminster Way. Existing cypress trees would be removed to enable the fence to be erected and there were some trees which required lopping. It was commented that to secure that boundary by condition was considered acceptable, but a fence along that part of the boundary to the front of the neighbouring property would be visually harmful.

By 17 votes to nil it was

*RESOLVED*

*that application NHI/18135/2 be approved subject to: -*

- (1) the conditions set out in the report;*
- (2) a condition to provide for the receipt of amended plans; and*

- (3) *a condition to provide that prior to the commencement of development a fence shall be provided along the rear garden and side wall only of 108 Westminster Way with planting provided to the front along the boundary.*

DC.333 SPA/5718/10 – CONSTRUCTION OF A WILDLIFE AND CONSERVATION POND. THE OLD GLEBE HOUSE, CHURCH WAY, SPARSHOLT

Councillors Matthew Barber, Roger Cox, Terry Cox, Briony Newport, Jerry Patterson and Pam Westwood had each declared a personal interest in this item and in accordance with Standing Order 34 they remained in the meeting during its consideration.

Mr I Brown explained that he was speaking in a private capacity and not as a County Councillor. He made a statement objecting to the application raising concerns regarding the intended use of the pond. He referred to an incident in March when shooting had taken place on the site and lead shot had fallen on a stable roof located on neighbouring land. There was concern that the purpose of the pond was to attract wildlife for shooting and that the site was not large enough to accommodate this use and that there was a real concern for the safety of neighbours.

The local Member spoke against the application raising concerns regarding the use of the pond for shooting and the safety of local residents. She explained that the shot from previous shootings had travelled some 150 metres across neighbouring land and that there was a real concern that someone would be injured. She considered that the application site was unsuitable for shooting and she urged that permission be refused.

The Committee was advised that whilst there might be sympathy with the issues raised, Members needed to consider the planning merits of the application and that danger arising from shooting activities was not a relevant consideration, but a Police matter. It was commented that it was not possible to refuse permission on the basis of an alleged use. However, it was reported that there were restrictions on the number of organised shoots in any year which could be carried out without the need for planning permission.

One Member spoke in support of the application commenting that there were no material planning reasons to refuse permission.

Another Member suggested that an informative should be added to any permission advising the applicant that if shooting on the land went beyond the authorised level then planning permission would be required for a change of use.

In response to a question raised it was noted that it would be unreasonable to impose a condition requiring that shot from shooting on this site did not fall on any other land. It was explained that this was a civil matter.

In response to a further comment made, it was considered that an informative should be added advising that consent from the Environment Agency was required before work commenced.

By 17 votes to nil, it was

*RESOLVED*

*that application SPA/5718/10 be approved subject to: -*

- (1) *the conditions set out in the report;*

- (2) *an informative advising the applicant that if shooting on the land goes beyond 28 days in a calendar year then planning permission will be required for a change of use; and*
- (3) *an informative advising that consent from the Environment Agency is required before work commences.*

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

None.

The meeting ended at 9.43pm.