

DC.196

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE

HELD AT THE GUILDHALL,
ABINGDON ON MONDAY, 8TH MAY,
2006 AT 6.30PM

Open to the Public, including the Press

PRESENT:

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

SUBSTITUTE MEMBERS: Councillor Mary de Vere (In place of Jerry Patterson) and Bob Johnston (In place of Briony Newport).

OFFICERS: Sarah Commins, Martin Deans, Rodger Hood, Laura Hudson and Carole Nicholl.

NUMBER OF MEMBERS OF THE PUBLIC: 38

DC.334 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 Councillor Briony Newport and Jerry Patterson.

DC.335 MINUTES

The Minutes of the meetings of the Committee held on 20 March and 10 April 2006 were adopted and signed as correct records subject to the following amendment: -

Development Control – 10 April 2006 Minute DC.327

The deletion of the tenth paragraph starting with the words "The local Member commented" and the replacement thereof with the following paragraph: -

"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 feared that at some point in the future, perhaps many years hence, consideration would be given to the removal of the hedge to improve visibility at the access, although he would wish the hedge to be permanently 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 aspect with the applicant."

DC.336 DECLARATIONS OF INTEREST

Councillor R T Johnston declared a personal and prejudicial interest in report 288/05 – ABG/1615/51 is so far as he was a share holder in Tesco's the applicant (Minute DC.344 refers)

DC.337 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

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

The Chair asked members of the public to listen to the debate in silence.

The Chair announced that immediately prior to the next meeting of the Development Control Committee there would be a presentation to Members of the Committee on an application for a continuing care retirement village, Letcombe Laboratory, Letcombe Regis (LER/957/65-X) at 6.00pm.

DC.338 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.339 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.340 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33

It was noted that 13 members of the public had each given notice that they wished to make a statement at the meeting. However, it was noted that one member of the public had declined to do so.

DC.341 MATERIALS

The Committee received and considered materials as follows: -

1. Caldicott School, Abingdon ABG/ 16935/1

RESOLVED

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

Ibstock Leicester Red and Baggeridge Red Blend bricks, render and Redland plain concrete roof tiles in Autumn Red, Brown and Slate Grey.

(b) *that the use of Worcester Buff brick and colour of the detailed brick be not supported.*

2. Barton Garage, Drayton –DRA/14149/5 and DRA/14149/6

RESOLVED

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

- *Orange Terca Winchester Multi Bricks*
- *Eternit Farmhouse Brown Tiles – preferred over the Eternit Natural Orange tiles*

(b) *that the applicant be advised that a darker coloured mortar other than that shown on the panel would be preferable.*

DC.342 APPEALS

The Committee received and considered an agenda item which advised of two appeals which had been lodged with the Planning Inspectorate for determination, one which had been allowed and one which had been withdrawn.

In respect of the appeal in relation to GFA/2796/4 the Committee noted an amendment to the report in that the application had been to allow the conversion of a garage into a part dining room/study.

RESOLVED

that the report be received.

DC.343 FORTHCOMING PUBLIC INQUIRIES AND HEARINGS

The Committee received and considered a list of forthcoming public inquiries and hearings.

RESOLVED

that the list be received.

PLANNING APPLICATIONS

The Committee received and considered report 288/05 of the Deputy Director 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.344 ABG/1615/51 - DEMOLITION OF EXISTING GARDEN CENTRE. EXTENSION TO STORE AND CAR PARK. TESCO, MARCHAM ROAD, ABINGDON

Councillor RT Johnston had declared a personal and prejudicial interest in this item and in accordance with Standing Order 34 he left the meeting during its consideration.

The Committee was advised that further to the report a plan showing amended elevations; a reduced amount of parking and a reorganisation of the car park had been received.

The Committee was advised of the details of the flood mitigation plan which set out level for level reductions in flood storage capacity and how the replacement of that loss would be provided. It was noted that subject to the measures proposed in the mitigation plan being carried out, the Environment Agency had no objection to the application.

Further to paragraph 4.1 of the report, it was noted that the Town Council had objected to the application raising concerns regarding the proposal being out of keeping and its adverse affect on the vitality of the town.

Finally, the Committee was advised that the County Planning Authority had recommended that this Council should object to the application, although it recognised that the District Council was better placed to determine whether there were material reasons to outweigh refusal. It was also suggested that South Oxfordshire District should be consulted namely because of the impact of the proposal on Didcot (although it was noted that this had been taken account of by the Council's Consultant) and that the Environment Agency should be consulted (which it was noted had been undertaken). Further concerns were raised regarding traffic, the creation of an out of town market centre, contributions towards highway improvements and the need to advertise the application as a departure from the Development Plan (which it was noted had been done).

The Committee was advised of an amendment to the recommendation in the report in that it was not necessary to include a condition regarding reduced parking as this had been covered by the revised plans.

Mr B Hedley, Vice-Chairman of the South Abingdon Flood Plain Action Group made a statement objecting to the application raising concerns relating to matters already covered in the report. He referred to a letter dated 12 February 2005 to the Council. He particularly raised concern regarding the increased effect of incipient and immediate run off rain water including run off from the increased roof area; surface material absorption; any new hard-standing should be permeable blocks over gravel; flooding; the need for foundation work; the speed at which water would penetrate the area and the diminished ability of the flood plain to cope with it; the proposed ancillary works and the need for details and advice on those; the need for consideration of other measures such permeable blocks on the ground for car parks and underground storage tanks; the impact on rescue services; the conditions required by the Environment Agency; and quantities of run off from nearby farm land.

Mr M Buxton the applicant's agent made a statement in support of the application. He advised that the aim of the proposal was to make marked qualitative improvements to the shopping environment, details of which were explained. He reported that there would be a reduction in peak hour congestion; there would be an additional storage area to meet the existing needs of the store; and an improved external appearance including glazing which would provide maximum natural light to the store. He reported that the independent retail assessment did support the proposal and there had been significant consultation. He reiterated that there was a need for the development justifying its approval. He explained the layout and commented on the sequential approach taken in that other sites had been looked at. He commented that the Officers were satisfied that these investigations were exhausted. He reported that the Environment Agency was satisfied with the proposed flood mitigation measures and the County Engineer had no objection subject to a contribution towards ABITS and reduced parking. Finally, he reiterated that this was the most appropriate site.

One of the local Members speaking on behalf of the other local Member raised concern at the proposal in terms of flooding. He commented on the need to keep local residents advised of any works and highlighted their real concern regarding the constant threat of their homes being flooded. He questioned whether the Environment Agency was correct in its response. He asked Members to be certain that the mitigation measures proposed would be sufficient as he was not confident that they would be. Also, he raised concerns regarding the existing lighting and abandoned trolleys around the town, notably in the river. The Officers advised that these matters were not relevant to consideration of this application, although the comments made could be taken up with the applicant.

Some Members spoke in support of the application making the following comments: -

- In terms of permeability, the existing ratio would be unchanged. A condition specifying this could be added should the Committee be minded to approve the application.
- Independent experts such as the Environment Agency raised no objection to the proposal and were satisfied with the mitigation measures proposed.
- The independent consultant was satisfied with the likely impact on the town centre.
- There were 400 – 500 new units of accommodations in Abingdon which required shopping facilities. The independent consultant would have had regard to the pattern of development in the town, income levels etc.

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

- There was concern regarding the detrimental impact of the proposal on the retail units in the town centre. Small businesses were finding it hard to survive already. The Officers

reported that there had been a thorough consideration of the likely impact on the town centre and the independent expert consultant was in support of the proposal.

- There was a concern that further businesses would be pulled away from the town centre to this site.
- The adverse affect on the vitality of the town centre had not been adequately considered.
- The Abingdon Chamber of Commerce and the Abingdon Association of Small Businesses should be specifically consulted on the application. However, this was not specifically agreed.
- If there was no intention to attract new customers then there should be no need for an additional 200 spaces.
- It was suggested that the extra car parking would be taken up by customers travelling from further away. It was questioned whether this was acceptable in view of the Council wishing to discourage use of the private car. The Officers explained that the proposal now provided for the maximum number of parking spaces for a facility of this nature. There was an extra supply of car parking to meet the maximum level. The County Engineer had advised that parking should not be provided above the maximum level.
- There was concern regarding the types of sales and the types of businesses in the town centre which might be affected. It was questioned whether there had been any restrictions placed on sales as had been the case for other stores. The Officers responded that planning permission for any extensions was required but there were no restrictions placed on the type of goods which might be sold at this store. The Officers commented that there had been a public inquiry in the early 1980's regarding a site for this store. It was noted that the expansion of food stores to enable them to sell non food items was a phenomena of the last 10 years, which had not been the case when the store application was originally considered.
- Whilst measures were to be put in place to mitigate the building and an alternative area provided which could flood, the problems associated with sudden run off had not been addressed. The Officers reported that the issue of run off had been discussed with Environment Agency which was content with the ratio and had raised no objection.
- Further measures to hold water when it was at its peak and could cause flooding were needed. It was not certain that the Environment Agency had addressed this.
- The car park and nearly the store had been flooded which indicated that the existing mitigation measures were inadequate. The Officers reported that the store was built above the flood plain. The proposed works were to compensate for the loss of the flood area and not to improve the existing situation.
- There was concern that the Environment Agency had not had regard to other matters such as the likelihood of a reservoir. It was questioned whether consideration had been given to the impact of the proposal on the whole of the Thames Valley. Also reference was made to the proposed development at Grove and the possibility of drainage being northwards and the impact of this on the River Ock. The Officers responded that these were not matters relevant to this application. It was explained that the Environment Agency would have taken into account all relevant considerations including run off and the need to ensure that flooding elsewhere was not worse as a result. It was commented that the Committee must have regard to the advice from technical experts.
- More alternative sites should have been investigated. Reference was made to the Bury Street Precinct; the Old Gaol and the Cattle Market. The Officers explained that there was guidance on looking at alternative sites which had to be reasonably available within the time limits of the Local Plan. The Officers commented that Bury Street had been considered by the agents as part of their original assessment, but had been deemed unsuitable for their business needs. It was commented that the Old Gaol was a listed building and therefore any development would be restricted and the availability of the Cattle Market had been unknown at the time of considering alternative sites. It was explained that the Ock Street sites had been the only ones which would reasonably have

been available. It was questioned whether it was reasonable for the applicant to have considered two sites only and whether the Committee should determine the application knowing that alternative sites might be available now. The Officers responded that the applicant could be asked to consider the alternative sites mentioned.

It was proposed by the Chair that the Chief Executive in consultation with the Chair and/or Vice-Chair and Opposition Spokesman of the Development Control Committee be delegated authority to approve application ABG/1615/51 subject to the following: -

- (1) Referral of the application to the Department of Local Government and Community as a departure from the Development Plan and a decision not to call-in the application.
 - (2) The completion of a Section 106 Obligation to secure a financial contribution to ABITS and a Travel Plan for Tesco staff.
 - (3) Conditions to include conditions addressing materials and detailing; flood compensation; the control of the ratio of permeable to impermeable surface treatment on site (i.e. how much surface allowed water to drain through to control run off); external lighting; the prohibition of a mezzanine floor; and conditions recommended by the Council's retail consultant Nathaniel Lichfield and Partners (NLP).
 - (4) The retail consultant (NLP) investigating alternative sites including the Cattle Market.
- However, this proposal was lost by 7 votes for to 9 against.

At this point, it was suggested by one Member that the application should be refused, with the reasons for refusal to be formally endorsed at a future meeting, such reasons to include the availability of other sites within the town centre and the adverse affect of the proposal on the retail vitality of the town centre. However, the Officers reminded the Committee that there was no evidence to support this and therefore further advice should be sought in the first instance.

It was proposed by Councillor Terry Cox, seconded by Councillor Tony de Vere and by 10 votes to 2 with 4 abstentions (with one of the voting Members not being present during consideration of this item) it was

RESOLVED

that consideration of application ABG/1615/51 be deferred to enable issues raised in relation to flooding and surface water run off and the impact of the development on town centre vitality to be further checked with the Environment Agency and retail consultants including the appointment of second consultants if necessary.

DC.345 DRA/9138/2 - ERECTION OF AN EXTENSION TO THE REAR. 14 CRABTREE LANE, DRAYTON

By 17 votes to nil it was

RESOLVED

that application DRA/9138/2 be approved subject to the conditions set out in the report.

DC.346 ABG/14753/9 - VARIATION OF CONDITION 1 OF PERMISSION ABG/14753/8 TO ALLOW TWO DELIVERIES BETWEEN 2100 AND 0630. WAITROSE, ABBEY CLOSE, ABINGDON

The Committee noted that letters of objecting had been received raising concerns that the special delivery methods which were aimed at ensuring that noise was kept to a minimum were not being adhered to. The Officers had reviewed the evidence and had concluded that provided the practices were followed noise would be minimal.

Further to the report, it was reported that County Councillor Lesley Legge had objected to the application raising concern that the proposal would cause harm in terms of noise.

Mrs Boswell and Fay Walker, representing local residents each made a statement objecting to the application raising concerns relating to matters already covered in the report. It was explained that the residential houses had been built prior to the extension of the store and that the existing special delivery practices in place were not being complied with. It was commented that deliveries at night necessitated late night staffing and the area was being used as a "rat run" with vehicles speeding through the area causing noise and disturbance to the residents. It was reported that youths gathered in the evening resulting in anti social behaviour and calls to the Police. It was commented that this supermarket was unnecessary in the town centre and consideration should be given to its re-siting away from residential properties. In addition reference was made to the residents of Penlon Place and concerns were raised regarding adverse impact on them in terms of noise at the access; the proximity of large lorries to windows of habitable rooms causing noise disturbance to families with very young children; noise from vehicles over the road hump; noise from reversing beepers and noise from sounding horns.

Emma Langmaid, the applicant's agent had given notice that she wished to make a statement at the meeting in support of the application, but she declined to do so.

One of the local Members expressed concern regarding the proposal in terms of the noise disturbances already mentioned including those from vehicle engines being left running. It was commented that much of the new housing had yet to be occupied and she considered that the application, if approved should be for a temporary period to enable monitoring that the special delivery practices were adhered to.

The other local Member referred to the report which advised that the Environmental Health Officer had no objection. He questioned whether a night time inspection had been carried out as the report referred only to an inspection in the afternoon. He suggested that a view on this would be beneficial to the Committee in determining the application. He agreed that many of the new residential units had yet to be occupied and explained that this had been one of the concerns raised by the Inspector and a reason why permission for late night deliveries had been temporary in the first instance. He suggested that permission should be granted on a temporary basis which would allow the impact to be assessed as new residents moved into the new properties.

One Member suggested that a number of issues raised should be looked at further, namely the speed hump; reversing beepers of delivery lorries; noise resulting from cages being rattled over the concrete surface; vehicles "rat running" through the site and the possibility of closure of the car park gates.

The Committee was advised that the speed hump was part of the Audlett Drive car park which was in the Council's ownership.

By 17 votes to nil, it was

RESOLVED

(a) *that application ABG/14753/9 be approved subject to the following condition: -*

"Deliveries to the food store hereby permitted shall be made only between the hours of 0630 and 2100, during any day the food store is open to the general public save, in addition, a maximum of 2 deliveries may be made between the hours of 2100 and 0630 for a temporary period of one year from the date of this decision. The night time

deliveries hereby approved shall be carried out strictly in accordance with the special delivery method set out in the applicant's letter dated 13 April 2006.

- (b) that the Officers discuss with the applicant the closure of the barriers/gates during the night time.*
- (c) that the Officers take up with the applicant the concerns raised regarding noise caused by the following: -*
 - (1) traffic passing over the speed hump;*
 - (2) vehicle reversing beepers;*
 - (3) engines being left running;*
 - (4) metal cages on the concrete surface.*

DC.347 LRE/15330/2 - CONSTRUCTION OF A GATE TO ALLOW ACCESS FOR MAINTENANCE PURPOSES. FORMER SCHOOL PLAYING FIELD, BASSETT ROAD, LETCOMBE REGIS

Mr Tony Bovey the applicant's agent made a statement in support of the application. He explained the ownership of the land and advised of the need for the access to be retained to enable maintenance of the area. He referred to the comments of the Parish Council and reported that it was intended that the land would be transferred to the Parish Council and therefore it would be responsible for allowing access.

The local Member commented that the Parish Council had been concerned regarding the width of the access and the intention that it might be used by large vehicles and lorries for other purposes. It was explained that the site was close to the Millennium Green which was a quiet area.

In response the Officer commented that the proposed access was to be 3 metres wide which was a standard width.

By 17 votes to nil it was

RESOLVED

that application LRE/154330/2 be approved subject to the conditions set out in the report.

DC.348 CUM/17023/6 - ERECTION OF FIVE DETACHED DWELLINGS. 207 CUMNOR HILL, OXFORD

Mr J Collinge, the applicant made a statement in support of the application. He commented that he endorsed the comments made in the report and emphasised that the proposal was for a moderation of a previously approved scheme. He explained that heights would remain the same and that the design would fit comfortably with the properties in the vicinity. He considered that the visual qualities of the approved scheme would be retained and there would be no visual impact; no over looking and there was adequate car parking. Finally, he reminded Members that there had been no objections raised by the County Engineer.

One of the local Members spoke against the application and in so doing referred also to the comments of the Parish Council. He reiterated concerns relating to matters already covered in the report and referred to an Inspector's decision to allow an appeal for development on this site. He commented that the Inspector had been specific about the type of dwellings which would be permitted. He suggested that the developer had misinterpreted the Inspector's intention in this regard. He commented that the site was overcrowded and that the proposal would adversely impact on the adjoining Green Belt. Finally, he advised that the Inspector

had stipulated that the development should not commence until details of the siting, design and external appearance had been agreed although he had noted that building work was progressing.

By 17 votes to nil, it was

RESOLVED

that application CUM/17023/6 be approved subject to the conditions set out in the report.

DC.349 CHI/19225/1 - ERECTION OF A DETACHED DWELLING. LAND TO THE REAR OF ROSE COTTAGE, DOG LANE, CHILDREY

Jeremy Snell made a statement objecting to the application raising concerns regarding development in this beautiful area. He advised that a recent survey had shown that 75% of brown field sites were garden and their development was known as "garden grabbing". He raised concern regarding this proposal in terms of its adverse impact on Symonds Farm House. He suggested that the proposal did nothing to preserve or enhance the character and appearance of the Conservation Area. He commented that the plans were incorrect in that there was a further extension to the neighbouring house which was not shown. He commented on the refusal of an application for a dwelling on a neighbouring site and suggested that weight should be given to this. He reported that he disagreed with the conclusions reached by Officers in terms of public views and suggested that the proposal was contrary to Policy H6 of the Local Plan. He further expressed concern regarding impact on the boundary explaining that a 2.4 metre wall in this rural area would be detrimental resulting in loss of views and outlook. He commented that there would be overlooking and that the neighbour would be unwilling to reduce the height of their hedge.

Martin Smith the applicant's agent made a statement in support of the application. He referred to the planning policy framework in terms of design of the building and its setting and commented that the proposal was acceptable. He reported that the site benefited from its own access and Childrey had been identified as a village which could accommodate infill. He referred to the extent of consultation on the Local Plan when support for some infill and small scale development had been supported. He commented that the proposal contributed towards the aim of providing additional housing. He advised that the existence of a listed building in the Conservation Area did not preclude development. He commented that previous applications on this site had been withdrawn and the scheme now put forward had been redesigned having regard to the comments received. He suggested that the simple design was appropriate and the size of the dwelling would mean that the property would be subservient to Symonds Farm House. Finally, he reported that there would be no overlooking.

In response to a comment made the Officers clarified that the County Engineer had agreed that the measures needed to meet his requirements were within the control of the applicant and not reliant on the lowering or removal of a hedge by a neighbour.

Members supported the application but considered that care should be taken to protect the trees along the access; the surface material of the access should be appropriate in this location and be retained and that a roof light which should be removed because of its appearance.

By 17 votes to nil it was

RESOLVED

that application CHI/19225/1 be approved subject to the following: -

(1) the conditions set out in the report with conditions 6 and 7 amended as follows: -

“6. LS11 Protection of Trees During Construction to include handing digging along the access if necessary.

7. Notwithstanding the approved plans, details of the proposed surface treatment of the access road and parking and turning area shall be submitted to, and approved in writing by, the District Planning Authority. The development shall only be carried out using the approved materials and those materials shall remain at all times thereafter.”

(2) a further condition to require the removal of the upper roof light in the north elevation.

DC.350 ABG/19358/1 - DEMOLITION OF OUTBUILDINGS AND CONSTRUCTION OF DWELLING AND GARAGE. LAND REAR OF 81 OCK STREET, ABINGDON

Further to the report the Officer advised that the appeal decision in respect of application ABG/19358 refused in December 2005 had now been received. The Inspector had dismissed the appeal on design grounds. In view of this information, the Committee was asked to delegate authority to refuse the application to the Chief Executive for similar reasons based on design and the impact of the proposal on the setting of the listed buildings in the vicinity and the setting of the Conservation Area.

Mrs Greaney made a statement objecting to the application raising concerns regarding overshadowing; loss of light; the proposed materials being out of keeping; adverse visual impact; design and the proposal being out of keeping. It was commented that flat roofs and timber cladding were inappropriate in this location. Finally she raised concerns regarding overlooking and the need to protect trees during construction.

The local Members spoke against the application agreeing that the design was inappropriate in this location.

By 16 votes to 1 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 refuse application ABG/19358/1 for reasons including design grounds and the impact of the proposal on the setting of the listed buildings in the vicinity and the setting of the Conservation Area.

DC.351 KEN/19464 - DEMOLITION OF EXISTING GARAGE EXTENSION AND PORCH. ERECTION OF A SINGLE STOREY SIDE EXTENSION AND FRONT EXTENSION. 10, MANOR GROVE, KENNINGTON

By 17 votes to nil it was

RESOLVED

that application KEN/19464 be approved subject to the conditions set out in the report.

DC.352 WAN/19489-X - ERECTION OF 5 DWELLINGS WITH ACCESS AND PARKING INCLUDING PARKING FOR THE EXISTING DWELLINGS. LAND ADJOINING 1-12 NALDERTOWN, WANTAGE

Further to the report the Committee was advised that the County Engineer had no objections to the proposal subject to conditions regarding the visibility at the access with Naldertown.

Furthermore, an additional letter of objection had been received raising concerns regarding impact of development on the foundations of neighbouring dwellings; impact of the character and appearance of the area; traffic; density; design and appearance; loss of open space and visibility at the access.

Also a further submission had been received from the applicant advising that the density accorded with Local Plan policies and with PPG3; the design of the hips and roof detailing related to neighbouring properties and were in keeping with existing features.

Finally, the Committee was advised a one letter of support had been received.

Mr B Tapscott and Dr James Broughton each made a statement objecting to the application raising concern relating to matters already covered in the report. They specifically raised concern regarding traffic calming measures at the access and the ability for vehicles to pass namely the vehicle and trailer used by St John's Ambulance; increased traffic; displaced car parking and impact on traffic speed. It was explained that the residents had maintained the area of open space for years and the area had been used for recreation. It was commented that the unique character of the open space was more desirable than parking. Furthermore, concerns were raised regarding distances; density; proximity to neighbouring properties; height; loss of light and outlook; visual impact; drainage and flooding.

Neil Boddington the applicant made a statement in support of the application. He referred to the considerable amount of negotiations and reported that the proposal had been redesigned having regard to the comments raised. He suggested that the altered road layout would improve road safety; off street parking would be removed; the St John's Ambulance would be able to manoeuvre its vehicles due to parked cars being removed along Naldertown; there would be a better flow of traffic; there would be no damage to the foundations of existing houses; there would be no loss of light and the surface of the parking area would be in keeping.

One of the local Members referred to the level of local objection to this proposal and commented that it was contrary to Local Plan Policy H9 in that it would have an adverse impact on the character and appearance of the area. She explained that originally the area had been intended for the elderly. She raised concerns regarding the proposal in terms of its height; overlooking; dominance; loss of the open space; the proposal being out of keeping in terms of design; lack of infrastructure for additional residents; the inability of vehicles to manoeuvre at the access road; visibility at the access; parking; proximity of the parking to habitable rooms of existing houses; size; drainage including concerns regarding damage to pipes during construction; over development and unneighbourliness. She referred to the slide explaining that there were a number of bungalows nearby. Finally, she confirmed that the open space area had been maintained for years by the residents who valued it as an important amenity which they enjoyed.

Another local Member commented that she disagreed that the proposal amounted to over development but did consider that the design was inappropriate in this location. She suggested the buildings were too high and as such the application should be refused on design grounds. She suggested that a proposal reduced in height, with fewer units of accommodation and in a revised style might be acceptable on the area of shrub land.

One Member whilst agreeing that affordable accommodation was needed expressed concern regarding the impact of this proposal on the character of the area. He noted that the green area was a pleasant amenity in this location which contributed to its overall character. Finally, he agreed that the proposal was too high and the density should be reduced.

Some Members spoke against the application making the following points: -

- It was considered that St John's Ambulance should be formally consulted in terms of the ability of its vehicles to manoeuvre along Naldertown.
- It was commented that the drainage system might not be able to cope and that new obligations in this regard should not be placed on existing residents. The Officers noted this matter commenting that this would be covered by a proposed condition.
- It was noted that the development was of a scale which would not warrant a financial contribution towards highway improvements.
- In view of the concerns expressed regarding parking in front of habitable rooms it was suggested that a parking scheme should be put place.
- The green area formed an important open space and was a valuable amenity to local people. Local residents would not be compensated for its loss.
- The green area should be retained as it contributed to the character of the area.
- The density was too great for this area.

Some Members spoke in support of the application making the following points: -

- There was no material planning reason to refuse the application.
- A slab level condition should be included should the Committee be minded to approve the application.
- There were properties nearby of similar design with hipped roofs.
- 43 dwellings per hectare was not unacceptable and could not be defended as a reason for refusal.
- There was a mix of development in this area and therefore it would be difficult to sustain objections in terms of height and design.
- Parking was sufficient for the needs of the development.

One of the local Members questioned whether there were any rules regarding building on land which had been used for an informal use such as open space. The Officers responded that the green area of land in this case was in the ownership of the applicant and he could do with it what he liked subject to appropriate planning permissions. Another Member commented that notwithstanding this, the land provided an important amenity area. The Officers responded that it was appropriate for the Committee to take that into account. However, the weight to be attached to that needed to be considered. It was commented that some informal open space was identified in the Local Plan. This site was not one of those and the parking was being offered as a benefit to local residents as it was not required for the development. On seeking a view from Members, there voted 7 in favour of retaining the area as open space and 8 in favour of parking.

One Member commented on the design suggesting that chimneys should be included, although this was not supported. However, it was agreed that should the Committee be minded to approve the application, revised details of fenestrations and dormers should be sought.

By 9 votes to 8 it was

RESOLVED

that the Chief Executive in consultation with the Chair and /or Vice-Chair of the Development Control Committee and the local Members be delegated authority to approve application WAN/19489-X subject to the following: -

- (1) Conditions relating to material samples; removal of permitted development rights; obscure glazing on flank windows; drainage details; hard and soft landscaping; boundary treatment; highway conditions to address visibility at the access as recommended by the County Engineer; slab levels; the submission of a parking scheme for the proposed new dwellings and revised details of fenestration and dormers.*
- (2) The Officers having regard to any comments made by St John's Ambulance on the proposal and specifically whether the changes proposed to the highway will allow sufficient space for their vehicles and trailer and to pass.*

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

None.

The meeting rose at 10.00 pm