

DC.113

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

**HELD AT THE GUILDHALL, ABINGDON ON
MONDAY, 18TH DECEMBER, 2006 AT
6.30PM**

Open to the Public, including the Press

PRESENT:

MEMBERS: Councillors Terry Quinlan (Chair), John Woodford (Vice-Chair), Roger Cox, Terry Cox, Tony de Vere, Richard Farrell, Richard Gibson, Jenny Hannaby, Monica Lovatt, Jim Moley, Briony Newport, Jerry Patterson, Margaret Turner and Pam Westwood.

SUBSTITUTE MEMBERS: Councillor Peter Jones for Councillor Peter Saunders.

NON MEMBER: Councillor Alison Rooke.

OFFICERS: Sarah Commins, Martin Deans, Mike Gilbert, Rodger Hood, Laura Hudson, Andrew Thorley and Jason Lindsey.

NUMBER OF MEMBERS OF THE PUBLIC: 19

DC.201 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 Peter Saunders.

DC.202 MINUTES

The Minutes of the meeting of the Committee held on 6 November 2006 were adopted and signed as a correct record.

DC.203 DECLARATIONS OF INTEREST

Councillor Roger Cox declared a personal interest in planning application GFA/19425/1, in so far as he resided in Coxwell Road, although he was not close enough to the application site to warrant a neighbour notification letter from the Planning Department. Councillor Jenny Hannaby declared a personal interest in the enforcement case relating to land at Greensands, Reading Road, East Hendred, in so far as she was a proprietor of a bed and breakfast establishment in Wantage.

DC.204 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair reminded Members of the Committee that a private briefing would be held on the proposed Folly Farm development in Faringdon, immediately upon the rising of the meeting.

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

DC.205 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.206 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.207 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33

It was noted that ten members of the public had each given notice that they wished to make a statement at the meeting.

DC.208 MATERIALS

None.

DC.209 APPEALS

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

RESOLVED

that the agenda report be received.

DC.210 FORTHCOMING PUBLIC INQUIRIES AND HEARINGS

A list of forthcoming public inquiries and hearings was presented.

RESOLVED

that the list be received.

PLANNING APPLICATIONS

The Committee received and considered report 130/06 of the Deputy Director (Planning and Community Strategy) detailing planning applications, the decisions of which are set out below.

Applications where members of the public had given notice that they wished to speak were considered first.

DC.211 ERECTION OF A TWO STOREY SIDE EXTENSION - BLAKES OAK, 35 LODGE HILL, SUNNINGWELL (SUN/2554/6)

Members asked that a location plan, together with the postcode relating to the application site be included in future agendas for all applications to assist Members to locate individual sites.

By 14 votes to nil, with one abstention, it was

RESOLVED

that application SUN/2554/6 be approved subject to the conditions set out in the report.

DC.212 CONVERSION AND TWO STOREY SIDE EXTENSION TO FORM 4 X 1 BED FLATS AND PARKING - 2 CALDECOTT CLOSE, ABINGDON (ABG/3388/3)

Mr Dunbar made a statement objecting to the application raising concerns relating to matters already covered in the report. He stated that the car parking spaces on the road in front of the site were not within the ownership of the applicant.

Members noted that in respect of parking provision within the site, four spaces had been provided, which was considered sufficient by the County Engineer. Furthermore, it was noted that Caldecott Road already contained a building of flats and that the application site was of sufficient size to accommodate the proposed development.

The Area Planning Officer confirmed that flats had no permitted development rights and that both the proposed flats and the existing dwelling house, 2 Caldecott Close would be insulated in accordance with current Building Regulation requirements. In this regard it was suggested that an informative be added to any permission.

By 14 votes to nil, with one abstention, it was

RESOLVED

that application ABG/3388/3 be approved subject to the conditions set out in the report, together with an informative advising the applicant that Building Regulations approval will be required in respect of noise insulation at the proposed development and the existing dwelling, 2 Caldecott Close.

DC.213 DEMOLITION OF EXISTING HOUSE. CONSTRUCTION OF 6 X 2-BEDROOM FLATS AND 3 X 1-BEDROOM FLATS - 7 EYNHAM ROAD, NORTH HINKSEY (NHI/3993/1)

Mr E Batts, on behalf of the Parish Council made a statement objecting to the application raising concerns relating to matters already covered in the report. Furthermore, he stressed the need to ensure that the trees at the entrance to the site were protected during construction works. In respect of parking provision, he claimed that there was no provision for visitor parking on site and that this was likely to lead to on-street parking. Finally, he referred to the need to relocate the bus stop away from the entrance to the development site.

Mr S Pickles made a statement objecting to the application raising concerns relating to matters already covered in the report and by the previous speaker. He referred to the scale, design and layout of the proposed development which he claimed would have a detrimental impact on 4 and 6 Cumnor Hill. He expressed concern that access to some of the flats was from the side or rear of the development, which he claimed raised issues of personal safety for both residents and visitors.

Mr P Uzzell, the applicant's agent, made a statement in support of the application. He referred to Planning Policy Statement 3, which encouraged developers to make the most efficient use of development land. He considered that the proposed development had been designed to overcome any local concerns regarding loss of amenity. The provision of a natural stone wall would improve the visual impact of the development from Eynsham Road. Finally, he referred to the proposed parking provision which accorded with County Council parking standards.

Members sought assurances that the drainage scheme for the development would prevent surface water draining into the existing foul sewer, in view of past flooding problems locally. In response, the Area Planning Officer confirmed that a scheme would need to be submitted prior to development commencing and agreed by the Council's Drainage Engineer. One

Member referred to a concern raised by a local resident regarding the retention of balcony screens and considered that their retention should be a condition on any permission. Furthermore, it was suggested that an informative be added to any permission advising that any change to the glazing of high level windows on the east elevation would require planning permission. In respect of the proposed access to some of the flats from the side or rear of the development site, it was suggested that the views of the Thames Valley Police Architectural Liaison Officer be sought. Finally one Member stressed that the cost of relocating the bus stop should be borne by the applicant.

The two local Members present at the meeting welcomed the comments from the objectors, in particular the concerns regarding the retention of trees at the entrance to the site and the relocation of the bus stop away from the entrance to the site. It was recognised that this was a major development and that maximum use of the site had been achieved, with adequate parking provision. Concern regarding flooding in the area was highlighted.

In response, the Area Planning Officer advised that the Council's Arboricultural Officer had visited the site and had concluded that a number of trees be retained, although none were worthy of a Tree Preservation Order. In respect of the relocation of the bus stop, the views of the County Engineer would be sought.

By 15 votes to nil, it was

RESOLVED

that authority to approve application NHI/3993/1 be delegated to the Chief Executive in consultation with the Chair and/or Vice Chair of the Development Control Committee, subject to:-

- (1) the conditions set out in the report together with a further condition relating to the retention of balcony screens;*
- (2) clarification from the County Engineer regarding the need to relocate the bus stop from outside the entrance to the development site;*
- (3) the receipt of the views of the Thames Valley Police Architectural Liaison Officer regarding the access to some of the flats from the side or rear of the development site and whether this raised personal safety issues for both residents and visitors.*

DC.214 ERECTION OF A SINGLE STOREY REAR EXTENSION - 49 ABINGDON ROAD, DRAYTON (DRA/5017/1)

By 15 votes to nil, it was

RESOLVED

that application DRA/5017/1 be approved subject to the conditions set out in the report.

DC.215 DEMOLITION OF EXISTING HOUSE. CONSTRUCTION OF 8 HOUSES AND 2 FLATS - 26 COXWELL ROAD, FARINGDON (GFA/19425/1)

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

Mr A Elliston made a statement objecting to the application raising concerns relating to matters already covered in the report. He referred to drainage problems at the site and, in the

event that planning permission was granted, on going maintenance of the site following the completion of the development. He requested the Committee to defer the application to allow for further consideration regarding the layout of the development and the health and safety implications raised regarding drainage and highway safety.

One of the local Members present at the meeting acknowledged that the development site was a substantial plot and expressed a preference for a development without flats, although he accepted the need for such accommodation. He accepted that the proposal accorded with planning policy and would welcome any traffic calming measures along Coxwell Road.

Members were generally of the view that this was a well designed scheme, although there was some concern regarding the massing of the terrace of 5 houses at the rear of the site and the impact on residents of Elm Road. Furthermore it was suggested that the proposed railings fronting Coxwell Road be painted black.

In respect of the proposed Section 106 Agreement, it was reported that this was almost complete. Regarding the design of the terraced houses to the rear of the property, the Area Planning Officer reported that the applicant had advised that it would be difficult in design terms to break up the terrace.

By 14 votes to 1, it was

RESOLVED

- (a) *that authority to approve application GFA/19425/1 be delegated to the Chief Executive in consultation with the Chair and/or Vice-Chair of the Development Control Committee, subject to:-*
- (1) *the completion of the Section 106 Obligation to secure the required financial contribution;*
 - (2) *conditions, to include materials, removal of permitted development rights, boundary treatment, railings to be painted black, landscaping, protection of trees, access, visibility, parking, retention of garages, surface materials, and highway drainage;*
- (b) *that authority to refuse application GFA/19425/1 be delegated to the Chief Executive in consultation with the Chair and/or Vice-Chair of the Development Control Committee, should the Section 106 Agreement not be completed within the 13 week period (which ends on 21.12.06).*

DC.216 ERECTION OF ONE DWELLING - LAND ADJOINING 1-12 NALDERTOWN, WANTAGE (WAN/19489/1)

It was reported that the County Engineer had confirmed that, following the receipt of revised plans clarifying tracking for larger vehicles within the site, he had no objection.

Mr B Tapscott made a statement objecting to the application, raising concerns relating to matters already covered in the report. He claimed that the submitted plans did not show the profile of the terrace of four houses and the relationship with dwellings in Hamcroft, which were set lower than the development site.

Ms S Smith, on behalf of the Naldertown residents, also made a statement objecting to the application, raising concerns relating to matters already covered in the report. She referred to

the outline consent granted in May 2006 and advised that works on site had commenced. She made particular reference to the access road which comprised black tarmac and not block paving, as promised by the former owner of the site.

Mr A Raven, the applicant's agent, made a statement in support of the application. He considered that the proposed development was simple to determine in planning terms, in that it was not over development and there was no impact on surrounding properties. The County Engineer had raised no objection to the access and parking arrangements, which overall would improve parking provision in the locality. He referred to the promises made by the previous owner of the site concerning parking provision but explained that his client had purchased the site with no pre-agreement regarding these matters. Finally, he warned that in the event that planning permission was refused, his client was likely to go to appeal and if successful seek an award of costs against the Council.

In response the Chair advised that each application was considered on its merits and the Committee was fully aware of the appeal process and would not be intimidated by threats of costs being awarded against the Council. Furthermore, he reported that one of the local Members, not present at the meeting had asked that the Committee's attention be drawn to paragraph 5.7 of the Officer's report regarding parking provision and requested that such provision be conditioned, in the event that planning permission was granted.

The other local Member present at the meeting, referred to the previous permission which provided 26 parking spaces to serve both existing and proposed dwellings and expressed her disappointment that parking provision had been reduced as part of the current application. Furthermore, she queried whether the revised parking provision of 23 spaces could be accommodated on the site. In respect of the impact on properties in Hamcroft, it was suggested that brick detailing on the elevation fronting that development should be required. In this regard it was reported that materials for the development approved in May had already been agreed. However, the Committee could agree the materials for the additional dwelling proposed as part of the application. In respect of density, it was confirmed that in calculating the density figure the whole site, including access areas were taken into account, in accordance with national guidance.

The Committee expressed its grave concerns that promises made by the previous owner of the site regarding parking provision had not been honoured by the new owners and considered that such action caused great harm to the housing development industry.

By 10 votes to 5, it was

RESOLVED

that application WAN/19489/1 be approved subject to the conditions set out in the report, together with an additional condition regarding brick detailing on the end elevation of the additional dwelling.

DC.217 PROPOSED ERECTION OF A TWO STOREY SIDE EXTENSION TO PROVIDE LIVING ROOM AND STUDY ON GROUND FLOOR AND BEDROOM ON FIRST FLOOR - 6 PYTENRY CLOSE, ABINGDON (ABG/19500/1)

Ms S Lee made a statement objecting to the application, raising concerns relating to matters already covered in the report. She referred to Pytenry Close development which comprised mainly semi detached dwellings and considered that the proposed development would be out of keeping. Furthermore, she stated that there was a need locally for two bed dwellings.

One of the local Members, present at the meeting, urged the Committee to take account of the topography of Pytenry Close, in particular the lack of pavements and in the case of the development site no road frontage. She considered the proposed development to be out of character with the area and stressed the need to prevent the creation of two separate dwellings on the site.

Members generally supported the proposed development but considered that an informative be added to any permission advising the applicant that the current parking arrangements would not support two separate dwellings on the site. In response, the Deputy Director (Planning and Community Strategy) advised that proposed condition number 4 could be expanded to ensure that the issue of parking was made clear.

By 14 votes to nil, with 1 abstention, it was

RESOLVED

that application ABG/19500/1 be approved subject to the conditions set out in the report, with condition number 4 being expanded to make it clear that the current parking arrangements at the site could not support two separate dwellings.

DC.218 DEMOLITION OF DWELLING (28 ARNOLDS WAY). CONSTRUCTION OF 2 APARTMENTS AND 3 DETACHED HOUSES WITH ASSOCIATED ROADS AND SEWERS - LAND AT 28 ARNOLDS WAY, CUMNOR HILL (CUM/19803)

In respect of the amended plans, the Parish Council had requested that the Committee take account of the views expressed by local residents. Furthermore, it was reported that two additional letters had been received from local residents reiterating previous concerns, requesting that the hours of work on site be restricted and that the distances between the application site and properties in Scholar Place be confirmed.

The Area Planning Officer confirmed that the proposed development accorded with the Council's requirements in terms of distances and that the hours of work on site was a matter for the Council's Environmental Health Team.

Mr R Fletcher of 12 Scholar Place made a statement objecting to the application, raising concerns relating to matters already covered in the report. He questioned the distance between plot 3 of the proposed development and the properties at 12 and 14 Scholar Place, which he had been advised was 17.5 metres.

In response, the Area Planning Officer confirmed that the distance between the proposed houses and the existing houses measured from the plans was at least 21 metres and therefore met the Council's standards. He referred to paragraph 5.7 of the report which stated that the Council's Arboricultural Officer had confirmed that none of the trees identified for removal were worthy of a Tree Preservation Order.

Members generally accepted the principle of development of the site but expressed disappointment at the quality of the design of the proposed dwellings. One of the local Members present at the meeting considered that three dwellings on site was over development and concurred with the views regarding poor design. Finally, Members asked that the distance between plot 3 and 12 and 14 Scholar Place be checked on site prior to development works commencing.

By 14 votes to 1, it was

RESOLVED

that authority to approve application CUM/19803 be delegated to the Chief Executive, in consultation with Chair and/or Vice Chair of the Development Control Committee, subject to:-

- (1) the completion of a legal agreement to secure the required highways contribution;*
- (2) the distance between plot 3 and 12 and 14 Scholar Place being confirmed as 21.5m prior to development works commencing and if this is found to be in correct then the matter be referred back to the Committee;*
- (3) the conditions set out in the report, together with a further condition requiring the development site to be pegged out prior to the commencement of works.*

DC.219 **ENFORCEMENT PROGRAMME**

(Councillor Jenny Hannaby had declared a personal interest in the enforcement case relating to land at Greensands, Reading Road, East Hendred and in accordance with Standing Order 34, she remained in the meeting during its consideration).

The Committee received and considered report 137/06 of the Deputy Director (Planning and Community Strategy) which sought the approval of the Committee to take enforcement action to cease the unauthorised occupation/residential use of land at Greensands, Reading Road, East Hendred (EHE/1965/8-E). Furthermore, the report informed Members of five resolved enforcement cases relating to Appletree House, Lincombe Lane, Boars Hill; The Lord Nelson Public House, 78 Charlton Road, Wantage; 20 North Quay, Abingdon; The Maybush Public House, Newbridge; and land to the rear of The Fold, Harcourt Hill, North Hinksey and sought approval to remove them from the active enforcement list.

In respect of enforcement action relating to land at Greensands, Reading Road, East Hendred, the Committee asked that a progress report be given to the Committee in March 2007.

RESOLVED

that the cases referred to in paragraphs 4, 5, 6, 7 and 8 of report 137/06 be removed from the active enforcement list and that authority be delegated to the Deputy Director (Planning and Community Strategy) in consultation with the Chair and/or Vice Chair of the Development Control Committee, to take enforcement action in the case referred to in paragraph 9 relating to land at Greensands, Reading Road, East Hendred, if in their judgement it is considered expedient to do so.

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

None.

The meeting rose at 9.32 pm