

# DC.132

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

**HELD AT THE GUILDHALL, ABINGDON ON  
MONDAY, 29TH JANUARY, 2007 AT 6.30PM**

**Open to the Public, including the Press**

PRESENT:

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

SUBSTITUTE MEMBER: Councillor Bob Johnston for Councillor Terry Quinlan.

NON MEMBER: Councillor Derek Rawson.

OFFICERS: Martin Deans, Mike Gilbert, Geraldine Le Cointe, Jason Lindsey and Stuart Walker.

NUMBER OF MEMBERS OF THE PUBLIC: 19

DC.236 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 Terry Quinlan.

DC.237 MINUTES

The Minutes of the meeting of the Committee held on 27 November 2006 were adopted and signed as a correct record.

DC.238 DECLARATIONS OF INTEREST

Councillor	Type of Interest	Item	Reason	Minute Ref
Terry Cox	Personal	GRO/4788/3	The spouse of the objector making a statement at the meeting was a fellow District Councillor	DC.246
Roger Cox	Personal	GRO/4788/3	The spouse of the objector making a statement at the meeting was a fellow District Councillor	DC.246
Tony de Vere	Personal	GRO/4788/3	The spouse of the objector making a statement at the meeting was a fellow	DC.246

			District Councillor	
Richard Farrell	Personal	GRO/4788/3	The spouse of the objector making a statement at the meeting was a fellow District Councillor	DC.246
		ABG/19785/1	Board Member of The Vale Housing Association Ltd.	DC.250
Richard Gibson	Personal	GRO/4788/3	The spouse of the objector making a statement at the meeting was a fellow District Councillor	DC.246
Jenny Hannaby	Personal	Forthcoming Public Inquiries and Hearings	Proprietor of a bed and breakfast establishment in Wantage	DC.244
		Materials	Trustee of the Wantage Nursing Home Trust	DC.243
		GRO/4788/3	The spouse of the objector making a statement at the meeting was a fellow District Councillor	DC.246
Bob Johnston	Personal	GRO/4788/3	The spouse of the objector making a statement at the meeting was a fellow District Councillor	DC.246
Monica Lovatt	Personal	GRO/4788/3	The spouse of the objector making a statement at the meeting was a fellow District Councillor	DC.246
Jim Moley	Personal	GRO/4788/3	The spouse of the objector making a statement at the meeting was a fellow District Councillor	DC.246
Briony Newport	Personal	GRO/4788/3	The spouse of the objector making a statement at the meeting was a fellow	DC.246

		NHI/19842	District Councillor Acquainted with the applicant and neighbour.	DC.251
Jerry Patterson	Personal	GRO/4788/3	The spouse of the objector making a statement at the meeting was a fellow District Councillor	DC.246
Derek Rawson	Personal	GRO/4788/3  CUM/8320/1	The spouse of the objector making a statement at the meeting was a fellow District Councillor  Resident of Cumnor Hill but not close enough to the application site to warrant a neighbour notification letter.	DC.246  DC.247
Peter Saunders	Personal	GRO/4788/3	The spouse of the objector making a statement at the meeting was a fellow District Councillor	DC.246
Margaret Turner	Personal	GRO/4788/3	The spouse of the objector making a statement at the meeting was a fellow District Councillor	DC.246
Pam Westwood	Personal and Prejudicial	GRO/4788/3	Resident of Vale Avenue and the spouse of the objector making a statement at the meeting was a fellow District Councillor	DC.246
John Woodford	Personal	GRO/4788/3	The spouse of the objector making a statement at the meeting was a fellow District Councillor	DC.246

DC.239 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair advised that Agenda Item 12 – CUM/8320/1 would be considered immediately after Agenda Item 9 – Forthcoming Public Inquiries and Hearings.

DC.240 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.241 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.242 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33

It was noted that 8 members of the public had each given notice that they wished to make a statement. However, it was noted that one member of the public had declined to do so.

DC.243 MATERIALS

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

50 Bed Elderly Persons Home on the Former Wantage Health Centre Site, Garston Lane, Wantage (WAN/271/9)

*RESOLVED*

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

- Marley Modern Smooth Brown interlocking tiles
- Terca Sherbourne Red bricks on the main walls and window/door flat arch detail
- Terca Burnham Buff bricks on quoins.

DC.244 FORTHCOMING PUBLIC INQUIRIES AND HEARINGS

(Councillor Jenny Hannaby had declared a personal interest in this item and in accordance with Standing Order 34 she remained in the meeting during its consideration).

A list of forthcoming public inquiries and hearings was presented.

The Area Planning Officer updated the Committee on the appeals in respect of Greensands, Reading Road, East Hendred. She advised that a Public Inquiry in respect of the appeals against the Enforcement Notice, refusal of planning permission for the construction of a tarmac access road and an area of hard standing and a refusal by Oxfordshire County Council for a recycling facility would be held on 27 and 28 February and 1 March 2007. She explained that the appellant had queried whether the Enforcement Notice had been legally served and the Council's Barrister was currently considering this matter. An appeal had been lodged and a Public Inquiry requested against refusal of planning permission for the retrospective application to retain the guest house and associated buildings.

*RESOLVED*

*that the list be received.*

DC.245 ECH/235/43 - ERECTION OF TWO INDUSTRIAL UNITS FOR B1, B2 AND B8 USES, LAND ADJOINING UNIT 2, W & G ESTATE, EAST CHALLOW

The Area Planning Officer advised that should planning permission be granted in respect of this application she would wish to add a further condition MC34 – contaminated land.

The Committee considered that further development of the site and the design of the proposed buildings were acceptable.

By 15 votes to nil it was

*RESOLVED*

*that application ECH/235/43 be approved subject to the conditions set out in the report, together with a further condition MC34 – contaminated land.*

DC.246 GRO/4788/3 - SINGLE AND TWO STOREY REAR EXTENSIONS, 9 VALE AVENUE, GROVE, OX12 7LU

(Councillor Pam Westwood had declared a personal and prejudicial interest in this application and in accordance with Standing Order 34 she left the meeting during its consideration. Councillors Terry Cox, Roger Cox, Tony de Vere, Richard Farrell, Richard Gibson, Jenny Hannaby, Bob Johnston, Monica Lovatt, Jim Moley, Briony Newport, Jerry Patterson, Derek Rawson, Peter Saunders, Margaret Turner and John Woodford had each declared a personal interest in this item and in accordance with Standing Order 34 they remained in the meeting during its consideration).

It was reported that a letter of objection had been received from the owners of 11 Vale Avenue raising concerns relating to over development of the site, restriction of natural light to their property, erosion of privacy to the rear garden, recent garage conversion without planning permission and the further expansion of an existing child minding business. In respect of the garage conversion the Area Planning Officer confirmed that planning permission was not required. Furthermore, it was reported that the County Engineer had raised no objection subject to the provision of two off street car parking spaces being provided on the site.

Mrs M Phillips of 11 Vale Avenue, made a statement objecting to the application raising concerns relating to matters already covered in the report and reported above. She claimed that the proposed development of an additional 227 square feet would result in the original dwelling having been increased in size by 100%. She asked that if planning permission was granted the two new ground floor windows of the proposed lounge be glazed with opaque glass to maintain privacy. Finally, she expressed her disappointment that Members of the Committee had not visited her property to gauge the impact of the proposed development.

In response to Members' concerns regarding the alleged expansion of the child minding business at the application site, the Area Planning Officer explained that the Council had not been previously aware of a child minding business at the site and would need to investigate. As a general rule, the Council adhered to informal guidance in respect of child minding businesses operated from residential properties, in that planning permission would be required for any business looking after more than six children (including any children resident at the property).

Members generally accepted that the proposed development accorded with the Council's design guidance, although it was recognised that it was a large extension. In considering the application, Members were of the view that the two new ground floor windows of the proposed lounge should be obscure glazed. The Area Planning Officer explained that the two windows

could be inserted in the existing single storey extension, prior to the proposed two storey extension being built, without the need for them to be obscure glazed. However, an informative could be attached to any permission granted suggesting the use of obscure glazing.

By 14 votes to nil, it was

*RESOLVED*

*that application GRO/4788/3 be approved subject to the conditions set out in the report, together with informative suggesting that the two new ground floor windows be obscure glazed and advising that planning permission would be required for a child minding business looking after more than six children (this figure to include any children resident at the property).*

DC.247 CUM/8320/1 - DEMOLITION OF HOUSE AND GARAGE. ERECTION OF REPLACEMENT BUILDING COMPRISING FLATS. ERECTION OF HOUSES AND COACH HOUSE, OFF-STREET PARKING AND LANDSCAPING, 40 CUMNOR HILL, OX2 9HB

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

It was reported that following the Agenda despatch, a further four letters of representation had been received, three of which had been circulated to Members of the Committee, prior to the meeting. The letters of representation received were as follows:-

Dr P Hawtin, Chairman of Cumnor Parish Council

Dr Hawtin referred to the statement made by Mr J Phillcox, the applicant's agent, to the last meeting of the Development Control Committee, in which he stated that the amended plans had been discussed with the Parish Council. Dr Hawtin advised that the amended plans had never been shown to the Parish Council prior to their submission to the Vale Planning Department and asked that this factual error be drawn to the attention of the Committee. Furthermore, Dr Hawtin advised that there was considerable surprise within the Parish regarding resolution (b) of the draft Minute relating to this application, in that it was the recollection of those parishioners present at the meeting on 8 January that the acceptance of the principle of development, including the demolition of 40 Cumnor Hill was never formally put to the meeting.

Mr J Rees – 36 Cumnor Hill

Mr Rees made reference to his statement made at the last meeting objecting to application CUM/8320/1, advising that he did not feel that his remarks had been adequately covered in the draft Minute.

Mr R Whitlock – 26A Cumnor Hill

Mr Whitlock expressed concern that the reasons for refusal before the Committee did not cover all of the objections to the proposal and sought the agreement of the Committee to support the additional reasons suggested by Councillor Derek Rawson. The additional reasons related to damage to the character of the area, harm to the Badger habitat and the established wildlife corridor and the adverse impact of the proposed development on properties in Third Acre Rise.

The fourth letter of representation concerned the accuracy of the draft Minute in respect of resolution (b) and the Committee's decision to accept the principle of development, including

the demolition of 40 Cumnor Hill. The letter requested that the draft Minute be amended by the deletion of resolution (b).

The Principal Planning Officer advised that the suggested reasons for refusal as outlined in the report were considered by the Officers to accurately reflect the Committee's concerns expressed in the resolution to refuse the application at the last meeting of the Committee.

The Committee noted an amendment to the draft Minute with the insertion of the words "It was proposed by Councillor Jerry Patterson, seconded by Councillor Richard Gibson and" at the start of the final paragraph of the preamble. In respect of resolution (b), Councillors Jerry Patterson, Richard Gibson and Terry Cox each confirmed that this had formed part of the proposition put to the Meeting and voted upon. In this regard, the Committee confirmed that the draft Minute, as amended above, was an accurate record of the debate and the decision taken.

One of the local Members present at the meeting expressed the view that the Committee should only have considered the Officer report and either approved or refused the application. Referring to the suggested reasons for refusal, he sought to expand the reasons to include defining the established character of Cumnor Hill and an additional reason regarding the impact on a Badger sett on the site and the wider established wildlife corridor. He also sought to include the impact on the properties in Third Acre Rise in draft refusal reason Number 2.

In response, the Development Control Manager explained that it was not necessary to precisely define the character of the area, as this would be clearly explained at any appeal hearing that might be held. In respect of the impact on the Badger sett, he explained that in the absence of an objection from Natural England, the Committee was unable to use this as a reason for refusal and to do so would be unreasonable.

Another Member referred to increased noise disturbance from vehicles entering the site and enquired whether this was covered by Policy DC9 in the second reason for refusal. In response the Principal Planning Officer advised that increased noise had not formed part of the Committee's resolution to refuse the application and DC9 in this instance referred to the harm to amenities relating to overshadowing, over dominance and overlooking. Furthermore, any reason used in respect of noise disturbance would need to be supported by a report from the Council's Environmental Health Officer.

It was proposed by the Chair and by 15 votes to nil, it was

*RESOLVED*

*that application CUM/8320/1 be refused for the reasons set out in the report.*

DC.248 GRO/11225/2 - DEMOLITION OF EXISTING GARDEN ROOM. ERECTION OF A TWO STOREY REAR EXTENSION & NEW CONSERVATORY, 7 MANDHILL CLOSE, GROVE, OX12 7HY

It was reported that amended plans had been received, which omitted the window on the side elevation and therefore, should planning permission be granted a further condition (MC20) be added.

One of the local Members present at the meeting welcomed the amended plans. However, she explained that the neighbour still felt the proposed extension was over dominant and would result in a loss of privacy to the rear garden.

One Member referred to the location of the neighbouring property and noted that its rear garden was already overlooked both by the applicant's existing windows and by properties in Sharland Close. Another Member remarked that the issue of privacy was not helped by the layout of the properties in Mandhill Close.

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

*RESOLVED*

*that application GRO/11225/2 be approved subject to the conditions set out in the report and a further condition MC20 – amended plans.*

DC.249 STE/12024/4 - ERECTION OF A DWELLING AND PART DEMOLITION OF WALL AND STE/12024/4-CA - PART DEMOLITION OF WALL, LAND AT THE GABLES, 39 THE GREEN, STEVENTON, OX13 6RR

It was reported that the County Engineer's comments had not yet been received. He was not expected to raise any objections, as he had raised no objection to a previous similar application at the site, subject to parking and manoeuvring areas being maintained and the prevention of the garages being converted to living accommodation.

Mrs S Rees made a statement objecting to the application, raising concerns relating to matters already covered in the report. She claimed that the amended plan made little difference to the impact on the local area and referred to the number of complaints regarding parking along Little Green, which not only caused damage to the Green but prevented access for emergency vehicles.

Mr M Fowler, the applicant's agent made a statement in support of the application. He explained that the proposed development accorded with Local Plan Policies H11 and DC1 and referred to the amount of consultation which had been carried out with the Council's Conservation Officer to achieve an acceptable design. He reminded the Committee that the wall was not listed and that the Council's Arboricultural Officer had considered the proposed measures to protect the Holly tree acceptable. Finally, he advised that drainage and parking at the site had been adequately addressed.

One Member referred to the protection of the Holly tree and suggested a further condition requiring hand digging around the tree during construction works.

By 15 votes to nil, it was

*RESOLVED*

*that applications STE/12024/3 and STE/12024/4-CA be approved subject to the conditions set out in the report, with a further condition requiring hand digging around the Holly tree being added in respect of application STE/12024/3.*

DC.250 ABG/19785/1 - DEMOLITION OF PORCH, UTILITY ROOM AND GARAGE. ERECTION OF EXTENSIONS AND CONVERSION OF DWELLING TO CREATE APARTMENTS (RESUBMISSION OF ABG/19785), 15 SPRINGFIELD DRIVE, ABINGDON, OX14 1JG

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



Mrs T Dodd made a statement objecting to the application, raising concerns relating to matters already covered in the report. She referred to the proposed bin store, which, in the event that planning permission was granted should be located to the rear of the proposed development.

The two local Members present at the meeting acknowledged that this was a controversial application locally but it was difficult to refuse on policy grounds. Concerns regarding parking were accepted but the County Engineer had raised no objection. Reference was made to a successful recent appeal for a similar development at 186 Wootton Road, Abingdon, in which costs had been awarded against the Council. Finally, referring to the proposal to plant three trees, the local Members sought clarification as to the species to be planted and suggested that the number be reduced to two. In response the Area Planning Officer advised that the type and location of the trees could be covered by a landscaping condition.

One Member referred to the proposed bin store and stressed the importance that it was sensitively designed and sited.

By 15 votes to nil, it was

*RESOLVED*

*that application ABG/19785/1 be approved subject to the conditions set out in the report, together with additional conditions relating to landscaping and bin enclosure.*

DC.251 NHI/19842 - ERECTION OF A SIDE AND REAR EXTENSION, 6 MONTAGU ROAD, BOTLEY, OX2 9AH

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

It was reported that in the event that planning permission was granted, a further condition MC20 be added.

Mr P Stevens, on behalf of the Parish Council, made a statement objecting to the application, raising concerns relating to matters already covered in the report. He asked that further negotiations be undertaken in respect of the proposed garage by setting it back from the boundary, keeping its height as low as possible and reducing its length by two metres to lessen the impact on the neighbouring property. If this was not feasible then he urged the Committee to refuse the application.

Mrs J Cecile made a statement objecting to the application raising concerns relating to matters already covered in the report and by the previous speaker. She accepted the need for the additional living space at the property and acknowledged that there had been much discussion between the applicant, Planning Officers and herself regarding the application. However, she still considered that the proposal would have an adverse impact on her property, resulting in the loss of amenity. She stressed the importance of her side window, which currently provided natural light to her kitchen/dining area.

One of the local Members, present at the meeting highlighted the problem of the differing ground levels between the application site and the neighbouring property and accepted that the applicant had met some of the concerns previously expressed by the neighbour. In planning terms, however, she considered that the proposal was acceptable.

Other Members considered that the differing ground levels was a major concern, which resulted in the proposed development dominating the neighbouring property and blocking the natural light to such an extent that it was unacceptably harmful to the neighbour's amenities.

Other Members noted that a similar proposal could be built as permitted development and therefore it would be difficult to refuse the application as submitted.

The Development Control Manager confirmed that a side extension could be built as permitted development, which was only 6m<sup>3</sup> smaller than the proposal.

By 10 votes to 4, with 1 abstention, it was

*RESOLVED*

*that application NHI/19842 be approved subject to the conditions set out in the report and a further condition MC20.*

DC.252 HIN/19850 AND HIN/19850/1- ERECTION OF SINGLE AND TWO STOREY REAR EXTENSION AND CARPORT, LITTLE THATCH, CHURCH ROAD, HINTON WALDRIST, SN7 8SE

The Development Control Manager referred to Planning Policy Statement 15, which encouraged flexibility in the application of standards to bring Listed Buildings back into use.

Mr G Haslett, the applicant's agent, made a statement in support of the application. He referred to the Parish Council's objections regarding the size of the extension and the use of materials and advised that the proposed extension would be subservient to the main building and referred to examples locally of the proposed materials to be used. He advised that the building had been empty for 18 months and its interior was a health hazard. The existing single storey lean-to structure and thatch to the main building were both in a poor state of repair.

The Committee welcomed the proposed development which was considered to be well designed, with a good use of materials.

By 15 votes to nil, it was

*RESOLVED*

*that applications HIN/19850 and HIN/19850/1 be approved subject to the conditions set out in the report.*

DC.253 ABG/19871 - ERECTION OF A REAR CONSERVATORY AND NEW WINDOW TO REAR, 9 RIVER VIEW TERRACE, COOPERS LANE, ABINGDON, OX14 5GL

Members generally considered the proposed development to be in keeping and visually well screened from the Ock Valley Walk. However, one Member expressed a contrary view that the proposed development would be visible from the Ock Valley Walk and that the conservatory would be out of keeping. He considered that allowing this application would set a dangerous precedent and referred to similar proposals at 52 Coopers Lane, Abingdon and Lady Place, Sutton Courtenay which had both been dismissed on appeal.

In response, the Development Control Manager explained that in recommending approval, the Officers had been mindful of the 52 Coopers Lane appeal decision, which had been refused on the ground of visual impact. In respect of the proposal before the Committee, the visual impact would be from a distance and so the proposal was not so prominent. Furthermore, many of the neighbouring properties had first floor balconies, which limited the opportunities to add conservatories.

By 14 votes to 1, it was

*RESOLVED*

*that application ABG/19871 be approved subject to the conditions set out in the report.*

The meeting rose at 8.52 pm