

DC.143

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

**HELD AT THE GUILDHALL, ABINGDON ON
MONDAY, 19TH FEBRUARY, 2007 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 Gibson, Jenny Hannaby, Monica Lovatt, Jim Moley, Jerry Patterson, Peter Saunders, Margaret Turner and Pam Westwood.

SUBSTITUTE MEMBERS: Councillor Andrew Crawford, Gervase Duffield, Terry Fraser (In place of Richard Farrell) and Tessa Ward (In place of Briony Newport)

NON MEMBERS: Councillors Andrew Crawford and Gervase Duffield.

OFFICERS: Sarah Commins, Steve Culliford, Martin Deans, Rodger Hood, Laura Hudson and Geraldine Le Cointe.

NUMBER OF MEMBERS OF THE PUBLIC: 24

DC.254 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 apologies for absence having been received from Councillors Richard Farrell and Briony Newport.

DC.255 MINUTES

The minutes of the Committee meetings held on 18 December 2006 and 8 January 2007 were signed and adopted as correct records.

DC.256 DECLARATIONS OF INTEREST

Members declared interests in report 155/06 as follows: -

<u>Councillor</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref.</u>
All Committee Members	Personal	SUT/570/14 and SUT/570/15-LB	All Members knew the Parish Council's representative, speaking at the meeting in so far as he was a former District Council.	DC.264
All Committee Members	Personal	CHD/713/5 and CHD/713/6-CA	All Members knew the applicant's agent, speaking at the meeting in so far as he was a former Officer of the Council.	DC.265
Jim Moley	Personal	CHD/713/5 and CHD/713/6-CA	He knew the objector speaking at the meeting	DC.265
Jenny Hannaby	Personal	CHD/713/5 and CHD/713/6-CA	She knew the applicant	DC.265

All Committee Members	Personal	ABG/19731	The Council was the applicant	DC.268
Tony de Vere	Personal	SUT/19873	He knew the objector speaking at the meeting	DC.269
All Committee Members	Personal	SUT/19873	All Members knew the Parish Council's representative, speaking at the meeting in so far as he was a former District Councillor.	DC.269

DC.257 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair asked everyone present to switch off their mobile phones during the course of the meeting.

The Chair reported that two Members were in attendance as Local Members to speak on applications within their electoral Wards. However, Local Members were not Members of the Committee and therefore did not have a vote.

DC.258 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

- (1) Terry Gashe made a statement to the Committee on behalf of the Betjeman Memorial Park Trustees. He sought the Committee's agreement to allow the terms of a Section 106 Agreement to be reconsidered to allow a financial contribution to be made to the Betjeman Memorial Park which provided necessary open space for the Pegasus development adjacent to the Park. He argued that it was therefore appropriate for the Park to benefit from the agreement. The Section 106 Agreement had not yet been completed and signed. The developers were required to provide some public amenity space and public art. The Betjeman Memorial Park would provide these facilities but in return should receive some financial contribution. However, he accepted that the majority of the Section 106 funds should be targeted at affordable housing, although the Grove Airfield development would provide much affordable housing for the area.

The Chair thanked Mr Gashe for his statement and reported that his comments would be taken into account before the Section 106 Agreement was finalised, although affordable housing was a top priority.

- (2) Mr Peter Scatchard presented a petition to the Committee Chair. The petition contained 56 signatures objecting to the application for development at Penn House, High Street, Childrey, which objectors believed was unsympathetic to the Conservation Area. The Chair read out the terms of the petition and reported that it would be taken into consideration by the Committee when it discussed the application later in the meeting.

DC.259 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None

DC.260 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.261 MATERIALS

None.

DC.262 APPEALS

The Committee received and considered an agenda item which advised of one appeal that had been lodged with the Planning Inspectorate and one which had been dismissed.

RESOLVED

that the agenda report be received.

DC.263 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 155/06 of the Deputy Director (Planning and Community Strategy) detailing six 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.264 SUT/570/14 & SUT/570/15-LB – ERECTION OF A 4 BEDROOM, SINGLE STOREY DWELLING INCORPORATING A GRADE II LISTED DOVECOTE AND STONE GARDEN WALL, AND ASSOCIATED EXTERNAL WORKS. THE MANOR HOUSE, CHURCH STREET, SUTTON COURTENAY

All Members of the Committee declared personal interests in this application but in accordance with Standing Order 34, they remained in the meeting during its consideration.

Further to the report, the officer drew the Committee's attention to the consultant architect's reply to the consultation and to the comments of the Ancient Monuments' Society, both of which had been circulated after the agenda despatch. The officer also reported that a letter of objection had been received expressing concerns at the modern approach taken by the architect. The Environment Agency had not submitted any comments prior to the meeting. However, it was noted that it had not objected to the previous application on this site. The County Council as highway authority had not submitted its formal comments also. In relation to an earlier application, the County Council had asked for the access road to the site to be improved. However, the previous application had been for three dwellings rather than one.

Mike Jenkins spoke on behalf of Sutton Courtenay Parish Council, raising concerns that the proposed development was situated very close to the historic park and gardens of the Manor House and close to Listed barns in the historic centre of the village. He believed the proposed dwelling was not in keeping with the area by virtue of its design and materials, which would be incongruous and inappropriate. The development would also be against policies in the County Structure Plan and the Local Plan. The design also challenged the dovecote. He considered that the modern design would be able to be seen from the village green in winter. He urged the Committee to preserve the heart of the village and refuse the application.

Mr A Warne, the applicant, made a statement in support of the application. He suggested that the development would secure the future of the dovecote, preserving its interior and exterior. The site was sufficiently far from the Manor House and was surrounded by trees, so it would be invisible from the road and the village green. The development would also remove a derelict tennis court. The design had not attracted any objections from English Heritage or the Environment Agency.

The Local Member spoke against the application, disliking the design of the glass elements of the house. He asked that it be referred back for further consideration. Two storeys would not be objectionable as long as the design blended in. He urged caution in designing new build adjacent to historic buildings, believing that a lasting design was needed. He reported that further applications were in the pipeline in this area and urged that these were considered along with the application from the Abbey.

The Chair reported that each application had to be determined on its own merits and not in conjunction with others.

The Committee was largely in support of the application, noting that no objections had been received from English Heritage and that the consultant architect had supported the design. The Listed dovecote would be preserved as part of the application and would be brought back into use; this was welcomed. Some Members thought that the modern house design next to the Listed dovecote was a good design but there was some dissent from this view. However, Members did not support widening the access road in this location; this was considered inappropriate.

By 13 votes to 2, it was

RESOLVED

that authority to approve applications SUT/570/14 and SUT/570/15-LB be delegated to the Deputy Director (Planning and Community Strategy) in consultation with the Chair and/or Vice-Chair of the Development Control Committee, subject to

- (1) the receipt of the formal comments from the County Council as highways authority and the Environment Agency; and*
- (2) the conditions set out in the report.*

DC.265 CHD/713/5 & CHD/713/6-CA - EXTENSION AND ALTERATIONS TO EXISTING HOUSE, DEMOLITION OF BARN AND ERECTION OF ANNEX. REBUILD SOUTH AND EAST EXTERNAL WALLS OF HOUSE. LAND AT PENN HOUSE, HIGH STREET, CHILDREY

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

The Committee noted the earlier receipt of a petition containing 56 signatures objecting to the proposed development at Penn House.

Further to the report the Committee noted that the proposed development of a single garage had been omitted from the scheme. Its removal had caused concern to the neighbour as it would no longer screen the extension to Penn House, in particular, the glazed first floor extension from their property.

Peter Scatchard made a statement on behalf of all those that wrote objecting to the application. He believed that there were two major problems: there were gross inaccuracies

and there had been improper consultation. He believed the barn should not be increased in height and commented that the catslide roof could be seen from several properties. He objected to the last minute alteration of the plans. The garage would have provided screening to the neighbouring property but had now been omitted. The huge increase in glazed area was unnecessary, inappropriate development that would result in overlooking of neighbouring property. Given the inaccuracies and changes, he urged the Committee to refuse the application and seek a new application with accurate plans and proper consultation. He believed that objectors were being prejudiced and their right to object to the amended plans had been removed.

Ken Dijksman spoke as a supporter on behalf of the applicant. He understood the local objections but reminded the Committee that change was permitted in Conservation Areas. Discussions on this application had taken approximately one year to get to this stage. It had been a constructive process; the design had changed to reduce the impact on the Conservation Area and on neighbouring residents. The requirement to the Council's Supplementary Planning Guidance had been met and the objectors had commented on the amendment to the plans, removing the garage. Accurate drawings were now before the Committee.

The Local Member believed that the heart of Childrey's Conservation Area and Penn House needed conserving. He was concerned at the details in the application and process. Two applications had been withdrawn but the new application had not been consulted upon. The garage had been removed and there was no re-consultation. There was much local concern at the potential for overlooking and the loss of privacy for the neighbours, especially from the proposed glazed wall on the first floor. He urged the Committee to defer the application and ask for amended plans with proper consultation.

Members of the Committee also expressed concern at the glazed wall proposed on the first floor of Penn House and the potential this had to cause overlooking of adjacent properties. Concerns were also expressed at the Juliet window proposed and it was suggested that the two dormers windows on the west elevation should be roof lights to avoid overlooking. Members were also concerned at the proposed increase in height of the annex. It was felt that the design neither conserved nor enhanced the house.

It was proposed by Councillor Roger Cox and seconded by Councillor Jenny Hannaby that authority be delegated to the Deputy Director to approve the application, subject to conditions. This was put to the vote and was lost by 8 votes to 7.

It was then proposed by Councillor Jerry Patterson and seconded by Councillor Tony de Vere that the application be refused on the grounds that it neither conserved nor enhanced the Conservation Area. This was put to the vote and was lost by 8 votes to 7.

It was then proposed by Councillor Roger Cox and seconded by Councillor Tessa Ward that the Deputy Director be delegated authority to approve the application, subject to the first floor glazing being amended and to negotiations with the applicant to seek a reduction in the height of the annex. Before this motion was put to the vote, it was suggested that further conditions should be considered such as painting the hand railings white at the front of the property, and requiring new drawings showing details of the windows. It was noted that condition no.5 in the report covered these details.

By way of an amendment it was proposed by the Chair that the applications be deferred to enable Officers to negotiate with the applicants on the matters raised by the Committee and to consult on the amended application. The application would then be brought back to the Committee. Councillors Roger Cox and Tessa Ward as proposer and seconder of the Motion agreed to withdraw their Motion in support of this proposal.

By 15 votes to nil it was

RESOLVED

that applications CHD/713/5 and CHD/713/6-CA be deferred to enable negotiations with the applicant to reduce the amount of glazing on the first floor of Penn House; to consider alternatives to the Juliet window; to reduce the potential for overlooking, and to reduce the height of the annex.

DC.266 MAR/6783/5 – CONVERSION OF LOFT TO BEDROOMS AND BATHROOM INCLUDING INSTALLATION OF 3 DORMER WINDOWS AND 4 ROOFLIGHTS. NOUGHT, THE FARTHINGS, MARCHAM

The Committee supported the proposed development but asked that the Parish Council was informed that the plans had been amended from those originally submitted.

By 14 votes to nil with 1 abstention, it was

RESOLVED

that application MAR/6783/5 be approved, subject to the conditions set out in the report.

DC.267 UPT/7108/2 – ERECTION OF 4 BEDROOM CHALET BUNGALOW WITH DOUBLE GARAGE. RAVELLO, CHILTON ROAD, UPTON

The Committee supported the application and welcomed the design.

By 15 votes to nil, it was

RESOLVED

that application UPT/7108/2 be approved, subject to the conditions set out in the report.

DC.268 ABG/19731 – RE-DEVELOPMENT OF CAR PARK FOR RESIDENTIAL USE. CATTLE MARKET CAR PARK, ABBEY CLOSE, ABINGDON

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

Further to the report it was noted that a small strip of the site was within the Conservation Area as this covered the area where greenhouses used to be. These had long since been removed but the Conservation Area boundary remained. This was an outline application with all matters reserved. An additional floodplain report would be required regarding the River Stert. A further letter had been received expressing concern at the loss of parking.

Martin Smith made a statement on behalf of Abingdon Town Council objecting to the loss of car parking that would result from this application. This would be contrary to policy TR6 in the Local Plan and could adversely affect the businesses in the town centre. Visitors to the Council's offices also used the car park, as did users of the Abbey Grounds and Meadows. He urged the Committee to reject the application and retain the site for car parking.

Brian Hooton made a statement opposing the proposed development and objecting to the proposal for the Council to delegate authority to itself to approve the application. He reported

that the car park was often full. If its capacity was reduced this would frustrate drivers. He urged the Committee to refuse the application and retain the site for car parking.

Mrs Terry Boswell, a nearby resident, also made a statement objecting to the application as residents of Burgess Close relied on the car park for overflow parking for visitors. There was demand to retain the car park.

One of the Local Members reported that the car park was not being used to capacity but growth of the town centre might mean demand for spaces would increase. The Council had agreed to undertake a long term review of parking provision. He considered that a cautious approach should be adopted and the car park retained until the review had been completed.

Other Members of the Committee expressed concern at the proposed development and the resulting loss of car parking. There was also concern at the impact the development would have on the setting of the Abbey Grounds in the adjacent Conservation Area. It was suggested that this was not the right site for housing but part of the site could be redeveloped for this purpose.

The Chair put the recommendation contained in the report to the meeting and this was lost by 15 votes to nil. The Chair then proposed that the application be refused with the reasons for refusal to come back to the Committee, the reasons to include the development being contrary to policy TR6 of the Local Plan, the undesirable impact on the adjacent Conservation Area and the absence of sufficient information on flood risk at the site.

By 15 votes to nil, it was

RESOLVED

that application ABG/19731 be refused with the reasons for refusal to be formally endorsed at a future meeting of the Committee, such reasons to include the development being contrary to policy TR6 of the Local Plan, the undesirable impact on the adjacent Conservation Area and the absence of sufficient information on flood risk at the site.

DC.269 SUT/19873 – ERECTION OF A FIRST FLOOR EXTENSION OVER GARAGE AND SINGLE STOREY REAR EXTENSION. 13A TULLIS CLOSE, SUTTON COURTENAY

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

Mike Jenkins made a statement on behalf of Sutton Courtenay Parish Council, objecting to the application, as it would reduce the feeling of openness in this part of Tullis Close. The character of the Close had been changed following the construction of new development adjacent to the application site. He considered the first floor extension unneighbourly, and that the application was contrary to the Local Plan policy DC1. He also expressed concern at additional development on the capacity of the sewage system. He urged the Committee to refuse the application.

James Eastwood made a statement on behalf of local residents objecting to the application. He believed the proposed development would not enhance the character or amenity of the neighbourhood. The application should be viewed together with the application for the adjoining site. He urged the Committee to defer the application until it could be seen in the context of the two new houses being developed beside it, when the overall effect would be seen.

Neil Perry, the applicant's agent, made a statement in support of the application. He believed that the subservient extension would not dominate the street scene and this application should not be confused with the application for the adjacent site. He believed the application responded to character of the property and the street.

The Local Member objected to the proposed development, in particular at the changing character of the Close. One green area had already been lost on the adjoining site and the collective applications were spoiling the character of the area which had already seen the loss of several shrubs and small trees.

Members of the Committee understood the views of local residents but could find no reason to refuse the application on material planning grounds. However, the Officers were asked to check that the neighbouring development was being built in accordance with the approved plans.

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

RESOLVED

that application SUT/19873 be approved, subject to the conditions set out in the report.

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

None.

The meeting rose at 9.40 pm