

DC.151

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

**HELD AT THE GUILDHALL, ABINGDON ON
MONDAY, 12TH MARCH, 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 Farrell, Richard Gibson, Jenny Hannaby, Monica Lovatt, Jim Moley, Briony Newport, Jerry Patterson, Margaret Turner and Pam Westwood.

SUBSTITUTE MEMBERS: Councillor Eddy Goldsmith for Councillor Peter Saunders.

NON MEMBERS: Councillors Mike Badcock and Peter Green.

OFFICERS: Martin Deans, Mike Gilbert, Geraldine Le Cointe, Carole Nicholl and Andrew Thorley.

NUMBER OF MEMBERS OF THE PUBLIC: 26

DC.270 **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.271 **MINUTES**

The minutes of the meeting of the Committee held on 29 January 2007 were adopted and signed as a correct record.

DC.272 **URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS**

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

The Chair announced that applications GFA/16464/3-X and GFA/19649/1-X would be considered together as they related to virtually the same site.

The Chair announced that application SHR/17622/2 had been withdrawn (Minute DC.284 refers).

Fiannly, for the benefit of the members of the public, the Chair explained that local Members who were not members of the Development Control Committee were unable to vote.

DC.273 **DECLARATIONS OF INTEREST**

Members declared interests in report 265/06 – Planning Applications as follows: -

<u>Councillor</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref</u>
Tony de Vere	Personal	ABG/400/6	He had an interest in a property on the other side of the fence to the rear of the boundary house	DC.280
Peter Green	Personal	ABG/1175/23	He was at a meeting of the Town Council's Planning Committee when this application was discussed.	DC.281
Roger Cox	Personal	GFA/7697/8	He was at a meeting of the Town Council's Planning Committee when this application was discussed.	DC.282
Roger Cox	Personal	GFA/16464/3-X	He was at a meeting of the Town Council's Planning Committee when this application was discussed and he was acquainted with one of the objectors.	DC.283
Tony de Vere	Personal	GFA/16464/3-X	He was acquainted with one of the objectors.	DC.283
Roger Cox	Personal	GFA/19649/1-X	He was at a meeting of the Town Council's Planning Committee when this application was discussed and he was acquainted with one of the objectors.	DC.285
Tony de Vere	Personal	GFA/19649/1-X	He was acquainted with one of the objectors.	DC.285
Jerry Patterson	Personal	KEN/19763/1	He was a member of Kennington Parich Council which had objected to the application. However, he had taken no part in the discussion or voting on the matter and was not a member of the Parish Council's Planning Committee.	DC.287

DC.274 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.275 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.276 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33

Eight members of the public had given notice that they each wished to make a statement at the meeting. However two declined to do so.

DC.277 **MATERIALS**

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

HAR/16731 - Hotel at the Harwell International Business Centre

By 12 votes to 3 it was

RESOLVED

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

*Windows – Anodised aluminium BS Code M4J0048
Roof – Grey aluminium sheet*

(b) *that the following materials be refused: -*

Bricks – Baggeridge Barkham (Buff)

DC.278 **FORTHCOMING PUBLIC INQUIRIES AND HEARINGS**

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

Councillor Roger Cox sought an update on the current position in respect of applications GCO/2087/21-X (cessation of existing lorry park use; erection of new building for business use (648sq.m) with new parking and turning area; new access to A420 and closure of 2 existing accesses) and GCO/2087/22-X (new access to A420 and closure of two existing accesses) both at Lorry Park, Chowle Farm Industrial Estate, A420, Faringdon. The Officers undertook to provide an update to Councillor Cox outside of the meeting.

On consideration of this item, one Member referred to an article he had read in a recent edition of Planning Magazine which had reported on a High Court decision to quash a decision regarding an unauthorised agricultural building in Oxfordshire and he questioned whether the Officers were aware of this case. The Officers reported that the article related to the unauthorised barn off Coxwell Road in Faringdon which it was explained had been built as permitted development but the Council had pursued enforcement action and appeal against which was dismissed by the Planning Inspector. However, the appellant had subsequently made an appeal to the High Court. It was explained that essentially the Court had decided that the building was authorised and could be remedied to make it agricultural. The matter had yet to be considered by another Planning Inspector.

RESOLVED

that the report be received.

PLANNING APPLICATIONS

The Committee received and considered report 165/06 of the Deputy Director 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.279 DRA/251/2 - DEMOLITION OF GARAGE & CONSERVATORY. ERECTION OF TWO STOREY EXTENSIONS TO FRONT, FLANK & REAR AND SINGLE STOREY TO REAR. ERECTION OF GARAGE. (RESUBMISSION OF DRA/251/1). TAMAMEH, CHIERS DRIVE, DRAYTON, OX14 4JR

Dr Furzedone-Davies was due to make a statement on behalf of the Parish Council but he declined to do so.

Further to the report, the Officers clarified that the existing vegetation was to be retained.

The Officers reported that a further representation had been received referring to the Officer's report raising concerns regarding the comments set out paragraph 5.5 concerning energy issues and that they were relevant according to Policy D2 of the Local Plan; a contention that the new development did not explicitly exclude new extensions; energy efficiency design concerns and the need to protect the beech tree. The Officers responded that the block plan showed this tree and it was referred to, although no reference was made to any proposed works to the tree. The Officer's conclusions set out in the report were highlighted although it was suggested that a condition could be added to ensure the protection of vegetation during construction.

One Member expressed concern regarding the proposed chimney and it was considered that an informative to advise the applicant that sample materials related to this should be added also.

By 15 votes to nil it was

RESOLVED

that application DRA/251/2 be approved subject to: -

- (1) the conditions set out in the report;*
- (2) a further condition to protect the existing vegetation during construction; and*
- (3) an informative to the condition MC2 – submission of materials, to state that this applies to all elements of the chimney also.*

DC.280 ABG/400/6 - ERECTION OF 4 CONE CANOPIES TO GARDEN/PATIO. ALTERATIONS TO PORCH FLAT ROOF. THE BOUNDARY HOUSE, 69 OXFORD ROAD, ABINGDON, OX14 2AA

Councillor Tony de Vere had declared a personal interest in this application and in accordance with Standing Order 34 he remained in the meeting during its consideration.

The Officers reported that should the Committee be minded to approve the application a further condition should be added to ensure that the posts to be used should be timber.

Councillor Alan Bryden made a statement on behalf of the Town Council objecting to the application raising concerns regarding the proposal being contrary to Planning Policy HE1 and its adverse affect on the Northcourt Conservation Area. He referred to a letter sent to Members of the Committee from Martin Smith, the Chair of the Planning and Highways Committee in this regard. He explained that the property was in a prominent position, opposite where a telecom mast would have been had it not been dismissed on appeal, the reasons for which were relevant in his case. He suggested that any proposal affecting the setting of the Conservation Area should be refused. He commented that whilst it stated in the report that the proposal would be 18.5metres from the road, the canopies would be clearly visible from the road. He explained that the house was once the home of Cecil Kimber the

founder of MG and was of importance historically. He reported that the proposal was out of keeping and character with the area and would adversely affect the setting of the Conservation Area. He suggested that the proposal for this shelter for smokers next to the front door made a mockery of the purpose behind the legislation to prevent smoking in public places in that customers would need to pass through the area to access the front door. He suggested that the application should be refused and that erecting such canopies to the rear of the property, where there was adequate room and accesses should be suggested to the applicant.

Some Members spoke against the application agreeing that it was not appropriate to site the non smoking area so close to the entrance. It was commented that the structure would be clearly visible in this open area and has such harmful to the appearance of the building. It was suggested that the structure should be sited to the rear of the building.

One Member referred to the Design Statement noting that the Magnolia tree near the front door was to be removed. He expressed concern at the loss of this tree which he considered contributed significantly to the visual appearance of the building and should be protected. The Member reported that he had sought advice from the Council's Arboricultural Officer regarding the need to place a Tree Preservation Order on the tree and he urged the Officers to follow this up. It was suggested that the canopies could be re-sited further away from the entrance to protect the tree.

Another Member made reference to the proximity of the Conservation Area commenting that some weight should be attached to that consideration. He agreed that if the Council's Arboricultural Officer considered that the Magnolia tree was worthy of protection then the application should be refused.

In response to a question raised the Officers advised that this Committee needed to consider the planning merits of any proposal and not whether the proposal met the requirements of any other legislation, such as Environmental Health legislation which was a matter for the applicant.

It was proposed by Councillor Jerry Patterson, seconded by Councillor Richard Farrell and by 14 votes to nil, with 1 abstention it was

RESOLVED

- (a) *that the Chief Executive in consultation with the Chair and/or Vice-Chair of the Development Control Committee be delegated authority to approve application ABG/400/6 subject to: -*
 - (1) *the applicant agreeing to resite the 4 cone canopies away from the main entrance at a distance sufficient to result in the protection of the Magnolia tree (the equivalent of one unit to the right away from the entrance is suggested);*
 - (2) *the conditions set out in the report;*
 - (3) *a further condition to ensure that the posts to be used are timber.*
- (b) *that the Council's Arboricultural Officer be requested to consider whether the Magnolia Tree is worthy of a Tree Preservation Order.*

DC.281 ABG/1175/23 - DEMOLITION OF PETROL STATION & SHOWROOM. ERECTION OF 62 DWELLINGS, ABINGDON SERVICE STATION / CROSSROADS GARAGE, DRAYTON ROAD, ABINGDON, OX14 5HT

Councillor Peter Green had declared a personal interest in this application and in accordance with Standing Order 34 he remained in the meeting during its consideration.

The Officers explained the amended details of the proposal which included the removal of a unit to improve the separation of the properties; the removal of two flats to make a parking area; and the adjustment of a unit to enable the required distances between properties in Raleigh Close to be met.

It was reported that a Tree Preservation Order had been placed on the pink Chestnut trees and that discussions had been held with the applicant regarding flood works to enable the building works to take place with a neutral impact on flooding.

Further to the report it was noted that an additional letter had been received raising concerns regarding boundary treatments and loss of privacy.

The Officers referred to the traffic appraisal commenting that in the peak hour a filling station could expect to have 100 movements per hour, whereas the proposed level of housing would generate between 45 to 50 movements. Therefore, the effect on peak hour congestion would be less than the permitted use and on this basis the County Engineer had raised no objection.

The Officers referred to concerns raised regarding noise, reporting that because of the town scape benefits the Environmental Health Officer supported the scheme.

It was explained that the legal obligations were progressing and that the S106 obligation with the County Council was nearly completed. However, it was suggested that if the legal obligations could not be agreed quickly, an additional condition should be attached to any permission to require that a S106 obligation be completed with the District Council prior to the commencement of development. Furthermore it was suggested that a condition also be added regarding slab levels.

David Thomas, the applicant's agent made a statement in support of the application. He referred to the negotiations which had taken place commenting that there had been a change of architect to address concerns regarding density and footprint. He reported that there were further minor amendments to the plans now being considered. He commented that the site was a brownfield site and therefore it was suitable for development. He drew attention to the Consultant Architect's comments agreeing that the proposal would result in an improvement to the appearance of this disused site. He noted that the Environment Agency and the Environmental Health Officer had raised no objection to the proposal. He referred to the level of affordable housing and highlighted that traffic generation from a residential use would be less than from the permitted use. Hence there would be a significant reduction in potential traffic movements and consequently turning which was considered a benefit by the Highway Authority in terms of highway safety.

One of the local Members expressed concern at the proposal in terms of its density and traffic generation. He highlighted Policy H15 noting that it referred to a density of 40 dwellings per hectare whereas the proposal being considered amounted to significantly more than that, which he commented was to enable the provision of the affordable housing. He referred to comments made regarding a reduction in the number of vehicles turning advising that there were two filling stations, one on either side of the road and therefore there was not the necessity to turn as suggested. He commented that there was no provision for a play area for children within the site and whilst there was the suggestion that residents from this site might

make use of the Ock Meadow, this was often inaccessible due to flooding. The nearest play area was at Tower Close which was inadequate. He urged the Committee to refuse the application commenting that the traffic congestion along Drayton Road and in Abingdon generally would be worse.

Another local Member also expressed concern at the proposal in terms of density; traffic generation and the expectation that recreational facilities for children of this development would be provided elsewhere. He expressed concern regarding the level of traffic along the Drayton Road and emphasised that this development would result in even more traffic.

One Member expressed support for the proposal commenting that the density levels were minimum guidelines and that the extant use needed to be taken into account. As such the proposal resulted in a reduction in potential traffic movements. He commented that the principle of development on this site was acceptable and the designs were satisfactory although they could not be judged as a whole, particularly in terms of how they would impact on neighbouring properties. As such he considered that a model of the development should be submitted.

In considering the application the following comments were made: -

Principle of Development

- The principle of development on this site was acceptable.
- The proposal was on a site with an extant commercial use and a residential development would result in a visual improvement of the area.
- Affordable housing was needed.

Financial Contributions

- The Council should seek a financial contribution towards waste management it being noted that the Council would be providing a waste collection service and providing green boxes for recycling.

Traffic

- The assessments made regarding traffic were questionable as the levels of vehicle movements were disputed.
- It was questioned whether vehicles specifically went down the Drayton Road to use the garages. It was probable that the majority of vehicles using the garages were from passing traffic anyway.
- Drayton Road was very congested and this proposal would further increase traffic.
- A traffic scheme should be considered whereby traffic entered and left the site in one direction similar to at the hospital site in Marcham Road.

Density/Impact

- It would be easier to assess impact with a model of the development.
- A model would enable an assessment of how the high density proposed would fit in and impact on the surrounding area.

Play Area

- A play area should be provided as part of the development. It was unacceptable that play equipment was not to be provided on the site.
- Any play area should be constructed to an adoptable standard.
- Play equipment elsewhere which could be used by residents of this development was essential.
- A suitable play area in the vicinity was needed. A short distance to a play area was not unreasonable.

- In terms of public open space, it was noted that a financial contribution towards offsite provision should be made. However, the proximity of such provision should be considered. It was explained that there were two small play areas, one at Tower Drive and one on the other side of the Drayton Road. It was commented that improvement to the play area might be the best option for the residents of this development.
- It was unreasonable to require the Town Council to upgrade existing play facilities elsewhere for the benefit of this development. However, it was noted that a financial contribution to facilitate this would be given by the developer and that it was likely that the Town Council would accept the offer.

Noise

- The area was noisy.

Other Matters

- It was not clear in the report whether the matters referred to in the Consultant Architect's report had been addressed.
- It was questioned whether the land was contaminated although the Officers advised that the site had been surveyed in some detail in respect of decontamination.

In response to a question raised regarding the use of a condition to require the completion of S106 obligations prior to commencement of development, the Officers confirmed that such conditions were lawful.

It was proposed by Councillor Jerry Patterson and seconded by Councillor Tony de Vere that consideration of application ABG/1175/23 be deferred pending the submission of a model of the development. However, on being put to the vote this was lost by 8 votes to 4 with 3 abstentions.

By 9 votes to 6 it was

RESOLVED

that the Deputy Director (Planning and Community Development) be delegated authority in consultation with the Chair and/or Vice-Chair of the Development Control Committee and local Members to approve application ABG/1175/23 subject to: -

- (1) the conditions set out in the report;*
- (2) a further condition to require that a S106 obligation be completed with the District Council prior to the commencement of development; and*
- (3) a slab levels condition.*

DC.282 GFA/7697/8 - ALTERATIONS TO CONSERVATORY. CHANGE OF USE FROM HIGHWAY LAND TO RESIDENTIAL. ERECTION OF RAILINGS. 29 MARLBOROUGH STREET, FARINGDON, SN7 7JL

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.

Peter Uzzell the applicant's agent was due to make a statement in support of the application but he declined to do so.

One of the local Members reported that the Town Council had been concerned regarding the railing. However, he did not support this view and considered that the proposal would improve the visual appearance of the building.

By 15 votes to nil it was

RESOLVED

that application GFA/7697/8 be approved subject to the conditions set out in the report.

DC.283 GFA/16464/3-X - RESIDENTIAL DEVELOPMENT, LAND REAR OF WINSLOW HOUSE, COXWELL ROAD, FARINGDON, SN7 7SW

As referred to elsewhere in these Minutes, the Committee considered applications GFA/16464/3-X and GFA/19649/1-X together. The discussion on both applications is recorded below.

Councillors Roger Cox and Tony de Vere had each declared a personal interest in these applications and in accordance with Standing Order 34 they remained in the meeting during its consideration.

Further to the report the Officers reported the following: -

- The applications were both for outline permission with access only at this stage.
- The County Engineer had no objection to the use of one access.
- The Officers were in discussion with the applicant and the County Council to resolve the financial contributions.
- Since writing to the report, the Town Council had objected to application GFA/19649/1-X, but had not objected to application GFA/16464/3-X but had sought further details regarding the number of houses proposed and financial contributions.
- Six additional letters, (3 on each application) had been received reiterating previous objections regarding security to the rear boundary; loss of the Christmas trees (which provided a sound barrier; a visual barrier and a habitat for wildlife) and drainage. It had been suggested that no more than 3 houses should be constructed and that a contribution towards youth centre provision should be made.
- The District Council was seeking a contribution towards public open space, play equipment and a work of art.
- Securing the provision of affordable housing could be covered by condition.
- If the Committee was minded to approve the applications a further condition to require the completion of a 106 obligation with the District Council prior to commencement of development was suggested.
- The Council's Arboricultural Officer had inspected the Christmas trees and had advised that they were not worthy of protection by way of a Tree Preservation Order.

Clive Davis made a statement objecting to application GFA/16464/3-X raising concerns relating to matters already covered in the report. He particularly referred to the following concerns: -

- The land, which was part of the Winslow Market Garden being referred to as "garden space". He explained that the land was a "green field site" of approximately 42x50 yards;
- The original application had been for 4 dwellings after the demolition of the Winslow Bungalow. The Winslow Bungalow was one of the original 4 and so there should now be 3 remaining;

- The revised application was for 4 dwellings at the rear of Winslow House, using its access off Coxwell Road;
- The plot was too small for 4 five bedroom dwellings;
- The dwelling on plot 1 would be sideways to the rear of the garden of No.6 Carters Crescent and built within a metre of the boundary wall;
- It was reasonable to assume that there would be windows on the first floor of the dwelling at plot 1 resulting in overlooking of the properties at No.s 6 and 7 Carters Crescent;
- The development should be limited to a maximum of 3 five bedroom dwellings, not including Winslow Bungalow;
- With the possibility of 3 to 4 cars per dwelling, there could be as many as 20 cars;
- The number of vehicles was excessive and inappropriate for the narrow driveway;
- The application referred to mains drainage although Winslow Bungalow and Coxwell House has septic tanks;
- Previous drawings had shown a hedge along the boundaries of No.s 6, 7 and 8 Carters Crescent. The owners of these properties would not accept the demolition of a wall to be replaced with a hedge and trees. Furthermore, they had concerns regarding maintenance.
- The wall had been standing for 45 years without any maintenance and he suggested that the developers might consider capping off the wall and finishing the south side of it with a rendered Tyrolean finish.

Andrew Brown representing the view of residents from Tonnington Court and Carters Crescent made a statement objecting to the application raising concerns relating to matters already covered in the report. He specifically raised concerns regarding density which he suggested should be in keeping with the surrounding residential areas on this edge of town site; traffic and access to Coxwell Road as he believed that the traffic levels had been underestimated; safety in terms of vehicle movements and pedestrians; loss of privacy; overlooking; adverse environmental impact in that the Christmas trees currently acted as a wind brake, sound and light barrier and provided a habitat for wildlife and loss of amenity. He suggested that if the trees were to be removed some landscaping which provided similar benefits should be provided. He further suggested that the dwelling to be sited near to the rear boundaries of existing dwellings should be no more than two storeys to minimise impact and overlooking. Finally, he suggested that the views of the Police Architectural Liaison Officer should be sought on the design in terms of safety.

One of the local Members reminded the Committee that the applications were for outline consent only at this stage with access. As such he considered that it was difficult to assess overlooking and impact at this stage due to lack of detail. He referred to the trees which he considered were of little value although he accepted that they did provide a natural habitat for wildlife. He commented that visual impact could be mitigated by any design. He noted that the County Engineer had raised no objection. He reported that he and the Planning Officer had met with some of the residents of Carters Crescent to discuss their concerns and to explain the planning process. He indicated that the residents accepted the principle of development in view of the Local Plan and the Inspector's report. However, he explained that what had caused concern locally was that the illustrative plan had shown a high density development on the site including the possibility of flats backing onto the rear gardens of the properties in Carters Crescent. He reiterated that without any detail it was difficult to take a view on the proposal, although he did consider that the proposal might amount to over development. Finally, he expressed concern regarding measurements and sought an assurance regarding the size of the site.

The Officers responded that in respect of application GFA/19649/1-X, the measurements had been checked using computer software and the measurement had been confirmed.

One Member referred to the illustrative drawings referred to and emphasised for the benefit of members of the public that the Committee was not considering any proposal set out in them.

One Member referred to the trees which he noted were of no intrinsic value. However, he considered that they added value in the wider landscape and commented that if they were to be removed they should be replaced with trees which would have a similar impact on the landscape. Furthermore, he suggested that the development should be sympathetic in design and scale to this edge of town location.

By 14 votes to nil on both applications it was

RESOLVED

(a) *that the Deputy Director (Planning and Community Strategy) in consultation with the Chair and/or Vice-Chair of the Development Control Committee be delegated authority to approve application GFA/16464/3-X subject to: -*

- (1) *the completion of Section 106 Obligations for financial contributions;*
- (2) *conditions regarding access;*
- (3) *a condition to require the completion of a 106 obligation with the District Council prior to the commencement of development;*
- (4) *an Informative advising the applicant of the need for a high quality and sensitive design to avoid overlooking of the properties in Carters Crescent and that this is edge of town location should be taken into account when considering density.*

(b) *that the Deputy Director (Planning and Community Strategy) in consultation with the Chair and/or Vice-Chair of the Development Control Committee be delegated authority to approve application GFA/119649/1--X subject to: -*

- (1) *the completion of Section 106 Obligations with the District Council and the County Council for financial contributions;*
- (2) *conditions, including the provision of affordable housing;*
- (3) *a condition to require the completion of a 106 obligation with the District Council prior to the commencement of development;*
- (4) *an Informative advising the applicant of the need for a high quality and sensitive design to avoid overlooking of the properties in Carters Crescent and that this is edge of town location should be taken into account when considering density.*

DC.284 SHR/17622/2 - ERECTION OF A DWELLING, LAND ADJACENT TO TARIFA COTTAGE, FARINGDON ROAD, SHRIVENHAM, SN6 8AJ

As referred to elsewhere in these Minutes, this application had been withdrawn.

DC.285 GFA/19649/1-X - RESIDENTIAL DEVELOPMENT, LAND ADJOINING COXWELL HOUSE AND WINSLOW HOUSE, COXWELL ROAD, FARINGDON. SN7 7SW

This application was considered in conjunction with application GFA/19649/1-X as referred to elsewhere in these Minutes (Minute DC.285 refers). The debate for this application is recorded in that Minute.

DC.286 ABG/19731 - RE-DEVELOPMENT OF CAR PARK FOR RESIDENTIAL USE, CATTLE MARKET CAR PARK, ABBEY CLOSE, ABINGDON, OX14 3JE

The Committee recalled that it had previously been resolved that application ABG/19731 be refused with the reasons for refusal to be formally endorsed at a future meeting of the Committee. The report set out suggested reasons based on the concerns identified by Members.

One Member commented that he had thought that a response was awaited from the Environment Agency in relation to flooding. However, the Officers advised that further flood risk assessment needed to be carried out and that the reasons in the report reflected the information currently available and identified that there was a potential for flooding.

By 15 votes to nil it was

RESOLVED

that application ABG/19731 be refused for the reasons set out in the report.

DC.287 KEN/19763/1 - ERECTION OF A TWO STOREY DWELLING AND ATTACHED GARAGE. 17 & 19 EDWARD ROAD, KENNINGTON, OX1 5LH

Councillor Jerry Patterson had declared a personal interest in this application and in accordance with Standing Order 34 he remained in the meeting during its consideration.

Further to the report, the Officers explained that the block plan had been amended and the Parish Council's comments on the amended application had now been received details of which were read out at the meeting. The Parish Council appreciated that the re-positioning of the garage was an improvement but raised concerns regarding the adverse impact on the amenity of neighbours; the height of the house and its steeply pitched roof; bulk; the unsuitable access; a potential hazard to road users and pedestrians; the narrowness of the footpath; lack of visibility; pedestrian safety; traffic speed due to the gradient of the site; and over development. It was suggested that access via Edward Road should be considered. Furthermore, it was requested that if the Committee was minded to approve the application an independent traffic engineer be commissioned to test the safety of the proposed access into Rowles Close. Finally, the Parish Council urged Members of the Committee to visit the site.

The Officers reported that there had been a further three letters of objection reiterating similar objections, in particular that the access would be inadequate; the proposal amounted to overdevelopment and that a window would be closer to the rear of the neighbouring property than shown on the plans.

It was noted that the County Engineer had raised no objection to the proposal in safety in highway terms.

Reference was made to the plans and it was explained that on one the distance shown was 22 metres and on another 20 metres. It was clarified that the minimum distance was 21 metres and it was suggested that if the Committee was minded to approve the application,

authority to do so should be delegated to the Deputy Director to enable him to verify the discrepancies in the plans.

Peter Biggs made a statement on behalf of the Parish Council referring to the concerns already reported. He particularly referred to the size of the proposal commenting that the Parish Council had been so concerned that it had held a site meeting. It had been unanimously agreed that the proposed size of the dwelling would adversely impact on the surrounding properties. He commented that the plans were misleading in that the ground levels were not referred to. He explained that although the size and height of the dwelling were shown as less than the neighbouring property, it was not highlighted that the neighbour was down hill. He reported that the house would be enormous and would adversely impact on the neighbour. Finally, he commented that the Parish Council would not object to a bungalow on this site.

Con Kellecher, a neighbour made a statement objecting to the application raising concerns relating to matters already covered in the report. He advised that he had measured the boundaries and there were discrepancies in the measurements given. He explained that the proposal would be only 6 metres from his boundary and not 10 metres. He gave details of the measurements namely, 18 metres to No.11, 14 metres to No.7 Edward Road, 19 metres to No. 19 and 21 metres to 131 Upper Road. He reported that the proposal was unacceptable in terms of proximity levels in that it failed to meet the required minimum distances. He referred to the floor space which was more than double that of any neighbouring house. He commented that the access was inadequate and constrained because of the size of the house. He referred to the gradient of the area and advised that the footpath was well used. He commented that a modest dwelling might be acceptable but the current proposal was excessive in terms of bulk and footprint.

One of the local Members commented that the proposed dwelling was too large and he could not see how a vehicle would be able to gain access to the site and garage. He considered that a 2 storey house might be acceptable but the current proposal was not.

One Member referred to the comments of the County Engineer who had raised no objection. However, he questioned whether specific consideration had been given to the access crossing a footpath and he asked that this point should be checked.

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

RESOLVED

that consideration of application KEN/19763/1 be deferred to enable the Officers to:-

- (1) verify the measurements, the size of the property and the gradient of the site;*
- (2) seek written confirmation from the County Engineer that he gave specific consideration to the access crossing the footpath and that he has no objection in terms of pedestrian safety.*

DC.288 CUM/19874 - DEMOLITION OF GARAGE, KITCHEN & PORCH. ERECTION OF A TWO STOREY EXTENSION, SINGLE STOREY KITCHEN AND HALL EXTENSION, 89, EYNSHAM ROAD, BOTLEY, OX2 9BY

One of the local Members whilst not objecting to the application expressed some concerns regarding the design which he considered unimaginative commenting that the appearance of the cladding was inappropriate on this building.

However, other Members welcomed the proposal considering that it complimented the existing dwelling.

By 9 votes to 3 with 1 abstention and 2 of the voting Members not being present during the consideration of this item, it was

RESOLVED

that application CUM/19874 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 9.35 pm