

# DC.158

## MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE

HELD AT THE GUILDHALL,  
ABINGDON ON MONDAY, 27TH  
FEBRUARY, 2006 AT 6.30PM

### Open to the Public, including the Press

PRESENT:

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

SUBSTITUTE MEMBER: Councillor Mary de Vere for Councillor Richard Farrell.

NON MEMBER: Councillor Peter Saunders.

OFFICERS: Mike Gilbert, Geraldine Le Cointe and Carole Nicholl.

NUMBER OF MEMBERS OF THE PUBLIC: 17

### DC.280 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 Richard Farrell.

### DC.281 MINUTES

The Minutes of the meeting of the Development Control Committee held on 30 January 2006 were adopted and signed as a correct record subject to the following amendments: -

- (i) Minute DC.256 – the deletion of the duplicate words “she remained in the meeting” in the first paragraph.
- (ii) Minute DC.260 – the addition of the word “permitted” before the words “development rights” in resolution (2).

### DC.282 DECLARATIONS OF INTEREST

Members declared interests in report 235/05 – Planning Applications as follows: -

<u>Councillor</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref</u>
Mathew Barber	Personal	WAN/4741/1	He knew the applicant's agent.	DC.291
Terry Cox	Personal	WAN/4741/1	He knew the applicant's agent.	DC.291
Mary de Vere	Personal	WAN/4741/1	She was acquainted with the	DC.291

applicants.

Tony de Vere	Personal	WAN/4741/1	He was acquainted with the applicants.	DC.291
Jim Moley	Personal	WAN/4741/1	Before he had been aware that he would be a Member of the Development Control Committee he had expressed a view on this application as a local Member.	DC.291
Julie Mayhew Archer	Personal	ABG/1723/13	She was acquainted with one of the objectors. Also she had worked at the School in the early 1980's.	DC.295

## DC.283 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

For the benefit of members of the public, the Chair announced that Councillor Peter Saunders was present as a local Member and was unable to vote.

## DC.284 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

## DC.285 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

## DC.286 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33

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

## DC.287 MATERIALS

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

(a) Plot 9, Land west of Didcot Power Station (HAR/12063/22-D)

Members recalled that at the last meeting concerns regarding the possible reflective nature of the proposed walling material had been expressed and it was agreed that a larger sample be provided on site so that it could be viewed in context, together with a second choice of walling material in case the former was found unacceptable.

By 17 votes to nil it was

*RESOLVED*

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

<u>Item</u>	<u>Manufacturer / Product</u>	<u>Colour Reference</u>
Fairfaced blockwork – main body	Lignacite	Premier Pearl (off-white)

- (b) New accommodation block, Rutherford Appleton Laboratory, Fermi Avenue, Chilton (HAR/19094)

*RESOLVED*

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

- (1) *Walls - Ibstock Leicester Red Stock 4930 and Kingspan insulated walling panels HDX in Granite Silver*
- (2) *Roof - profile metal in silver grey ref: RAL9006*

## DC.288 APPEALS

The Committee received and considered an agenda report which set out details of one appeal which had been lodged with the Planning Inspectorate for determination and one which had been dismissed.

*RESOLVED*

*that the agenda report be received.*

## DC.289 FORTHCOMING PUBLIC INQUIRIES AND HEARINGS

The Committee received and considered an agenda report which set out details of forthcoming public inquiries and hearings.

*RESOLVED*

*that the agenda report be received.*

## PLANNING APPLICATIONS

The Committee received and considered report 235/05 of the Assistant Director (Planning) 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.290 WAT/1611/14 – ERECTION OF 50M HIGH PERMANENT METEOROLOGICAL MAST AND RELOCATION OF ELECTRICAL SUBSTATION. WESTMILL FARM, HIGHWORTH ROAD, WATCHFIELD

Further to the report, the Committee was advised of two further representations received from Penny Hooks Farm. The first raised concerns that the information which would become available from the meteorological mast should be available already and that there was no need for the mast on site; it was not the role of the Committee to consider contractual arrangements; there would be a substantial increase in visual intrusion; there were questions as to why the proposal had not formed part of the original scheme and that if it had, the decision made to allow the turbines might have been different; there were concerns that experienced turbine operators had not given thought to the need for a meteorological mast initially and there were questions regarding the justification for a mast at this stage. The second raised concerns regarding the visual impact of the mast and wires and the adverse impact of this on the students at Penny Hooks Farm who had autism; concerns that the information regarding the need for the mast was questionable; concern regarding the possibility that the applicant was requesting another structure in order to challenge the

manufacturer's data; the proposal being contrary to policies SF8 in terms of justification and CF10 in terms of the requirements for renewable energy not harming the local landscape, which it was considered that this proposal would.

The Officers clarified that the principal consultee had been North Devon District Council which had a designated officer to process these types of applications. It had commented that in its knowledge temporary masts of this type were normally applied for. Members were therefore asked to have regard to the applicant's arguments for a permanent mast on site.

Terry Gashe the applicant's agent made a statement in support of the application explaining the reasons for an independent mast on site. He reported that the manufacturers of the turbines had guaranteed a maximum output of electricity for a given wind speed and this was critical to ensure the level of return for the turbines. He advised that it was essential to have an independent measure of wind speed. He explained that some wind farms, where they were owned and operated by a commercial venture and not a co-operative were able to use an anemometer fixed on the turbines. He reported that this was not possible in this case as the manufacturer retained control over the turbines (in order to offer the guarantee) and calibration was carried out by the manufacturer. Also the airflow at the hub was affected by the blades and did not give as accurate a reading as would be provided by a free standing anemometer. He explained that the proposal was for a thin mast with thin guide wires and that meteorological masts of this type were completely insignificant. He emphasised that in this location it would be barely visible from a distance of more than 400 metres and was acceptable particularly in the context of the turbines. Finally, he clarified that it was intended to relocate the building to house the sub-station to a more suitable and appropriate location in terms of cabling and other infrastructure. He reported that the building would have the appearance of a small agricultural building.

One of the local Members expressed concern at the application in this Area of Outstanding Natural Beauty. He referred to the need to protect the landscape commenting that the mast would be visually intrusive. He asked the Committee to consider how the meteorological mast would contribute anything useful to the operation of the turbines advising that the Parish Council, local scientists and other consultees, which included engineers all considered that there was no need for the mast as the data which would be collated was already available. He reported that the data which would be collected was used for control purposes only and would not be supplied to the owner of the turbines. He emphasised that the mast would not assist in the operation of the turbines and was totally unnecessary and therefore inappropriate development. He referred to the developers wish to collect the data to provide an independent reference point for monitoring the scheme enabling easier resolution of insurance claims or disputes and to provide system flexibility in a fluid energy market. He commented that this argument was not a material planning consideration sufficient to warrant approval of the application.

Members made the following comments objecting to the application: -

- At the time of approving the turbines information regarding all the buildings on the site was requested.
- As a matter of process it was not right that the Committee had not considered the development in its entirety initially.
- The applicant should have known of the need for this meteorological mast at the outset.
- The mast was not required for the operation of the turbines.
- Just because the turbines had permission did not justify inappropriate development in the open countryside.
- Permission if granted should be for a temporary period.

- There was concern that there would be an application to replace the mast with a turbine at a later date which would be difficult to resist if this application was approved. The Officers advised that this application should be considered on its merits.
- The proposal would be visually harmful in that there would be a 70 metre span of wires and the mast would be nearly 1 metre thick, which it was considered would be seen from a long way away. The Officers commented that the mast would be visible but this would be insignificant in comparison to the turbines.

Members made the following comments in support of the application: -

- Having approved the turbines it would be difficult to argue that this proposal had any major impact on the landscape.
- There was a need for the proposal otherwise the applicant would not have applied for permission.
- The harm likely to be caused was insignificant.
- There was no material reason to refuse the application.
- The monitoring exercise was required permanently on site for the length of the time the turbines were functional.
- A condition was proposed to require the removal of the mast should the turbines not be in use.
- It was commented that if a proposal was acceptable for 1 or 2 years then it was acceptable for 10 years and permission should not be granted for a temporary period. The acceptability of a proposal was the main consideration.

It was considered that condition 3 should be amended to match the wording in a similar condition on the main application in terms of timescales for its removal, i.e. within a specified time limit.

It was proposed by Councillor Terry Cox and seconded by Councillor Mathew Barber that any permission should be for a temporary period of 3 years only as the proposal related to the initial collection of data on relevant wind speeds for the generation of electricity. On seeking a view of the Committee as to whether permission should be granted for a temporary period, there voted 9 for and 6 against with 2 abstentions.

By 17 votes to nil, it was

## *RESOLVED*

*that the Chief Executive in consultation with the Chair and/or Vice-Chair of the Development Control Committee be delegated authority to approve application WAT/1611/14 subject to: -*

- (1) condition (1) set out in the report being amended to provide that permission shall be for a temporary period of 3 years;*
- (2) condition (2) set out in the report;*
- (3) condition (3) being amended to amended to match the wording in a similar condition on the main application in terms of timescales for its removal, i.e. within a specified time limit.*

Councillors Mathew Barber, Terry Cox, Mary de Vere and Tony de Vere had each declared a personal interest in this items and in accordance with Standing Order 34 they remained in the meeting during its consideration.

Councillor Jim Moley had declared a personal interest in this item and in accordance with Standing Order 34 he remained in the meeting during its consideration. However, in accordance with paragraph 5.2.6 of the Local Code of Good Conduct for Members and Officers dealing with Planning Matters he refrained from voting on the application.

The Officers clarified that there had been 27 letters of representations including a letter from one of the local Member.

Mr M Holt made a statement objecting to the application raising concerns relating to matters already covered in the report. He particularly referred to concerns regarding detrimental impact; the proposal changing the character and appearance of the area which was predominantly Edwardian and Victorian; other proposals coming forward for development in this area as some residents of larger plots had been approached by developers; traffic movement and pedestrian safety (a concern shared by many including the Head Teacher of King Alfred's School); size; scale; density; the extent of the footprint; narrowness of the plot and the resultant necessity to squeeze the apartments to the back of the site; removal of trees to allow for parking; the second floor being unnecessary. Finally, he suggested that six apartments might be acceptable.

Mr F Dixon on behalf of the applicant made a statement in support of the application referring Member's attention to the report commenting that the proposal complied with PPG3, PPS1, the Local Plan and Emerging Local Plan. He referred to a similar application opposite and suggested that the objections raised did not refer to material planning considerations. He commented that in terms of traffic, the County Engineer had no objection; the vision splay would be improved and a passing bay would be provided. Furthermore, whilst he agreed that the character of an area could change as was the case with all development, such a change would not be harmful in this case.

One of the local Members raised concerns regarding the cumulative affect of this type of development; design and density. He suggested that mock Tudor was not the predominant design in this road.

One Member commented that there was a diversity of house styles and designs in this area which were predominantly Victorian. She suggested that the proposal could have been more imaginative although she raised no objection to the scheme as presented.

Another Member referred to Coopers Lane which was a narrow un-adopted road. She commented on the need to retain such accesses which she suggested encouraged people to walk or cycle rather than use their cars.

Other Members supported the application welcoming the retention of open space and considering that there were no reasons to refuse the application.

By 16 votes to nil, with Councillor Jim Moley abstaining it was

*RESOLVED*

*that the Chief Executive in consultation with the Chair and / or Vice-Chair of the Development Control Committee be delegated authority to approve application WAN/4741/1 subject to conditions to include materials, access improvements; landscaping; the stopping up of the*

*existing vehicular access; drainage; tree protection during construction; boundary treatment; slab levels and car parking.*

DC.292 SUT/6342/21 – CHANGE OF USE OF FACTORY/ENGINEERING WORKS WITH OFFICES TO WAREHOUSE WITH OFFICES AND EXTERNAL ALTERATIONS. FORMER WILLIAMS GRAND PRIX SITE, BASIL HILL ROAD, DIDCOT

The Committee was asked to disregard Appendix 6 attached to the report which had inadvertently been included and did not relate to this application.

The Committee noted that the Parish Council had raised concerns regarding increased traffic movements. However, the County Engineer had no objection to the application subject to a contribution towards highway improvement works.

In response to a question raised, the Committee was advised that there would be an overall increase in traffic movements but this would be relatively insignificant and therefore a routing agreement had not been requested by the County Engineer in this case.

By 17 votes to nil, it was

*RESOLVED*

*that the Chief Executive be delegated authority in consultation with the Chair and /or Vice-Chair of the Development Control Committee to approve application SUT/6343/21 subject to the completion of a Section 106 Agreement to secure the contributions towards highway improvement works.*

DC.293 BLE/19377 & BLE/19377/1-LB – CHANGE OF USE FROM OFFICES TO RESIDENTIAL. ASHBROOK MEWS, WESTBROOK STREET, BLEWBURY

The Committee was advised that the comments of the County Engineer were still awaited and therefore should the Committee be minded to approved the application, authority to do so should be delegated to the Chief Executive pending receipt of those comments. Furthermore, the Committee was advised that condition 7 set out in the report should be amended to refer to units 1 to 4.

Mr C Whatmore made a statement on behalf of the Parish Council commenting that this development should not be seen in isolation. He referred to other applications in the locality and expressed concern regarding the loss of this business use which he considered was truly local and reduced the need for travel to work. He expressed concern at the proposal in terms of its Impact on the street scene; adverse impact on the local water sys in that the existing water pressure was unreliable; on street parking which would adverse impact on the walking bus and on the movements of agricultural vehicles; and car parking. He welcomed the restrictions on alterations and extensions to the dwellings questioning whether these were the same as the removal of permitted development rights. He commented that additional car parking spaces were proposed to the rear but details were unclear. He asked that should the Committee be minded to approve the application the court yard car parking space should be retained for the lifetime of the development and that no plans should be approved which did not show the car parking space to the rear. Finally, he requested that the works should be carried out in their entirety and not piecemeal as and when tenants vacated premises.

Mr I Hope made a statement objecting to the applications raising concerns relating to matters already covered in the report. In particular he expressed concern regarding on street car parking; uncertainty regarding the number of car parking spaces to the rear of the office building; the agreed allocation of those spaces; lack of a footpath in the main road and

pedestrian safety should there be further on street parking. He suggested that consideration of the applications should be deferred until a plan was produced showing the car parking layout.

Mr S Barratt, the beneficial owner of the site and landlord made a statement in support of the applications commenting that the proposal would address concerns raised regarding car parking. He suggested that the need for parking associated with the proposal would be less than the current use. He advised that the site benefited from a water storage system and therefore concerns raised regarding water pressure were not relevant. He referred to comments made regarding allocated parking stating that there was a right of way on foot only and no allocated parking. Finally, he emphasised that parking to the rear was not an issue.

The Committee was advised of the views of the local Member who had suggested that given that the commercial units had been empty he could see no reasons to resist a change of use. He noted that there were grounds for gardens which would not be out of keeping with other houses in the area. He commented that any noise would be no more or less than other developments in the village. He considered that the wall fronting London Road and the roof tiles above it were important features in the Conservation Area and should remain intact. Finally, he considered that should the Committee be minded to approve the applications, an informative should be added to advise the applicant that the Council would be unlikely to grant planning permission for dormers in the roof.

In response to the comments made suggesting an Informative indicating that any dormer windows for the low level units would be unlikely to be granted planning permission, it was noted that this was not considered necessary at this stage.

Members spoke in support of the application but in view of the concerns raised and the uncertainty regarding the parking it was considered that it would be reasonable for the applicant to demonstrate that the car parking could be achieved. However, the Officers advised that the car parking area was outside of the application site and there was no reason to doubt the comments of the applicant's agent that 6 or 7 cars could be accommodated in the rear parking area. It was reported that for one bed let units it would be reasonable to expect 1 car parking space only. Therefore there would be 6 spaces for the rest of development which was more than sufficient. However, notwithstanding this the Officer could see no harm in requesting that the car parking be shown.

In response to a question raised regarding imposing a condition restricting the parking, it was explained that such a condition would be difficult to enforce.

In response to further comments made, the Officers advised that the porch was insignificant and therefore it was not considered necessary to seek an amended design and that in terms of the provisions for rubbish disposal, a condition was recommended to address this for the holiday lets.

By 17 votes to nil, it was

## *RESOLVED*

(a) *that the Chief Executive be delegated authority in consultation with the Chair and / or Vice-Chair of the Development Control Committee to approve application BLE/19377 subject to: -*

(1) *the comments of the County Engineer and him raising no objection;*



- (2) *the conditions set out in the report with condition 7 being amended to read as follows: -*

*“Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2005 (or any other order revoking or re-enacting that Order) units 1 to 4 shall be used solely for holiday accommodation or serviced accommodation and for no other purpose whatsoever and shall not be continually occupied by the same persons for a period exceeding 28 days in any 90 day period unless otherwise agreed in writing by the District Planning Authority.”*

- (3) *clarification of the car parking arrangements and the receipt of a plan showing these.*

- (b) *that the Chief Executive be delegated authority in consultation with the Chair and / or Vice-Chair of the Development Control Committee to approve application BLE/19377/1 - LB subject to: -*

- (1) *the comments of the County Engineer and him raising no objection; and*  
(2) *the conditions set out in the report.*

DC.294 EHE/19393 & EHE/19393/1-LB – DEMOLITION OF PART OF REAR EXTENSION & SHED, ERECTION OF TWO STOREY & SINGLE STOREY EXTENSION WITH INTERNAL ALTERATIONS. PENNY GREEN, CAT STREET, EAST HENDRED

Mr Galliver the applicant's agent made a statement in support of the applications explaining details of the original building and commenting that there been many extensions which were of a poor quality with inadequate roof pitches for slate tiles. He reported that the current proposal would be an improvement on the existing structures and that it would provided improved living amenity. He clarified the increased floor area which he advocated was minimal and commented that the proposal would improve this neglected listed building.

By 17 votes to nil it was

**RESOLVED**

- (a) *that application EHE/19393 be approved subject to the conditions set out in the report; and*  
(b) *that application EHE/19393/1-LB be approved subject to the conditions set out in the report.*

DC.295 ABG/1723/13 – NEW MULTI-PURPOSE SCHOOL HALL TO REPLACE EXISTING FACILITIES AND EXTERNAL WORKS, ENTRANCE (RESUBMISSION). OUR LADY'S CONVENT, 3 OXFORD ROAD, ABINGDON

Councillor Julie Mayhew Archer had declared a personal interest in this item and in accordance with Standing Order 34 she remained in the meeting during its consideration.

It was clarified that the Committee was being asked to consider the replacement of the wood cladding with brick on the sides of the new school hall and the addition of three wind-catcher structures on the roof. It was commented that the height and footprint of the building were identical to the permitted scheme.

Reference was made to the representations received and it was noted that some of the objections raised related to the principle of development of the school hall which had already been established. Reference was made to the proximity of the new school hall to the neighbouring properties. Details of the distances to the rear of the houses being at least 25 metres and to the rear garden boundaries being 5 metres were explained. It was commented that these were considered acceptable in relation to the detailed changes now proposed.

Mr J Laister speaker on behalf of nine neighbours made a statement objecting to the application, raising concerns relating to matters already covered in the report. He set out his concerns at the current application being put forward at this stage noting that the reason for the replacement of the cladding related to the costs involved. He clarified that he had not objected to the original application as he had considered the cladding appropriate. He explained that he considered that the use of bricks would be visually intrusive especially having regard to the distances of the hall to the neighbouring properties commenting that it was a mere 5 metres from the rear gardens which were used by the residents. He questioned why the wind-catchers had not been included in the original application and raised concern regarding their visual impact. He suggested that they would be seen and would detract from the beautiful appearance of the Victorian terraces. He also raised concerns regarding possible noise. Finally he advised that the plans showed trees in place along the boundary. He explained that these had been attractive trees which had formed an effectual noise and visual barrier. However, it had been agreed that three of the tree should now be removed and he questioned why.

Mr Hehir referred to correspondence he had sent to Members of the Committee asking Councillors to have regard to his comments in determining this application. He particularly raised concerns regarding how this and previous applications had been processed.

Mr J Spurgeon had given notice that he wished to make a statement at the meeting but he declined to do so.

One of the local Members commented that she preferred the wood cladding to the brick, although she noted that the Committee had to consider the application before it. However, she considered that the brick would be visually intrusive and suggested that trees should be planted to provide some screening.

The Officers explained that it doubtful whether requesting trees could be justified in this case. It was explained that the trees had been removed where the new building was closest to the boundary as there was insufficient space to accommodate them. It was commented that requesting trees had not been imposed at the time of the original application.

The other local Member also expressed a preference for the timber cladding, but accepted the views of the Consultant Architect regarding the wind-catchers. He suggested that the extent of the brick surface might need to be mellowed by some landscaping.

Other Members also spoke in support of tree planting it being thought that the brick would be visually intrusive.

One Member referred to the plan appended to the report commenting that tree coverage was shown along the boundary with the rear of properties at Radley Road. He suggested that this was misleading. The Officers clarified that this was a site plan and neither showed trees which were there or proposed. It had been specified in the original application that tree would be removed. Furthermore, planning permission was not required to do this.

One Member commented that the outlook from the neighbouring properties was now different and that there was a justification for tree planting.

It was proposed by Councillor Mathew Barber and seconded by Councillor Terry Cox that should the Committee be minded to approve application ABG/1723/13 a landscaping condition be added to require tree planting along the boundary with the rear of the properties in Radley Road. The Chair asked the Committee to indicate whether this additional condition would be acceptable to which there voted 13 for and 3 against with 1 abstention.

The Committee had regard to the comments of the Consultant Architect and considered the level of harm in this case, which was considered insufficient to warrant refusal.

On consideration of this application one Member referred to the comments of the County Engineer in terms of the proposals coming forward as part of the Abingdon Integrated Transport Strategy (AbITS). She suggested that the County Engineer when commenting on applications in Abingdon and the surrounding area should have particular regard to the strategies of AbITS and include reference to them in any comments.

By 17 votes to nil it was

*RESOLVED*

*that application ABG/1723/13 be approved subject to the conditions set out in the report and a further landscaping condition to provide for tree planting along the boundary with the rear gardens of the properties in Radley Road.*

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

None.

The meeting rose at 9.20pm.