

# DC.54

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

**HELD AT THE GUILDHALL, ABINGDON  
ON MONDAY, 13TH AUGUST, 2007 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 Farrell, Jenny Hannaby, Anthony Hayward, Lawrence, Sue Marchant, Jerry Patterson, Val Shaw and Margaret Turner.

EX-OFFICIO MEMBER: Councillors Melinda Tilley

OFFICERS: Sarah Commins, Martin Deans, Rodger Hood, Laura Hudson, Geraldine Le Cointe, Carole Nicholl and Andrew Thorley.

NUMBER OF MEMBERS OF THE PUBLIC: 97

**DC.83 NOTIFICATION OF SUBSTITUTES AND APOLOGIES FOR ABSENCE**

Apologies for absence were recorded from Councillor Richard Gibson.

**DC.84 DECLARATIONS OF INTEREST**

Declarations were made in respect of report 50/07 as follows:

Councillor	Type of Interest	Item	Reason	Minute Ref
Jenny Hannaby	Personal and Prejudicial	Item 10 - WAN/1645/10	A letter had been received from the applicant stating that she had indicated her support for the application.	DC.92
Richard Farrell	Personal and Prejudicial	Item 11 – GFA/2782/4-X	He was a Director of the Vale Housing Association, owners of the land.	DC.93
Roger Cox	Personal	Item 11 GFA/2782/4-X	He was a Town Councillor but was not on the Town Council's Planning Committee and had no previous consideration of the application.	DC.93
Anthony Hayward	Personal	Item 12 - STA/6523/3	He was acquainted with the applicant.	DC.94
Terry Cox	Personal	Item 12 - STA/6523/3	He was acquainted with the objector.	DC.94
Tony de Vere	Personal and Prejudicial	Item 13 - KBA/6770/11	He was acquainted with the objector who was making a statement at the meeting.	DC.95

Jerry Patterson	Personal	Item 14 - KEN/9184/1	He was a Parish Councillor but was not on the Parish Council's Planning Committee and had no previous consideration of the application.	DC.96
Roger Cox	Personal	Item 15 - GFA/10178/2	He was a Town Councillor but was not on the Town Council's Planning Committee and had no previous consideration of the application.	DC.97
Jerry Patterson	Personal	Item 16 - SHI/11845/3	He was acquainted with the objector in so far as the objector had worked with his late wife.	DC.98
Carole Nicholl Head of Democratic Services	Personal	Item 17- STA/14707/5	The applicant and her supporter were known to her.	DC.99
Jenny Hannaby	Personal	Item 21 - WAN/20119 & WAN/20119/1-LB	She was a Town Councillor but was not on the Town Council's Planning Committee and had no previous consideration of the applications.	DC.103
Terry Cox	Personal	Item 21 - WAN/20119 & WAN/20119/1-LB	He had previous involvement with the School in a professional capacity but not in respect of planning matters.	DC.103
Angela Lawrence	Personal	Item 22 – ABG/20143	She was a Town Councillor but was not on the Town Council's Planning Committee and had no previous consideration of the application.	DC.104

## DC.85 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair reminded Councillors and members of the public to switch their mobile telephones off during the meeting.

The Chair asked all members of the public to listen to the debate in silence.

The Chair commented that whilst he did not want to stifle debate he was mindful of the number of applications for consideration on the agenda and with this in mind he asked Members not to repeat comments already made.

DC.86 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER  
32

None

DC.87 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None

DC.88 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER  
33

16 members of the public had each given notice that they wished to make a statement at the meeting. However, 1 member of the public declined to do so.

DC.89 MATERIALS

- (a) MAR/19761/1- Land adjoining the Timber Yard, Packhorse Lane, Marcham

*RESOLVED*

*that the following materials be approved:*

*Walls - Natural Stone*

*Roofs - Eternit Handcraft plain clay tiles in Aylesham Mix*

*Windows - Painted Timber*

- (b) WAN/7226/3 – 61 Mill Street, Wantage

*RESOLVED*

*that the following materials be approved:*

*Walls - Blockleys Ferndown Red bricks (without any details bricks) for the whole of the building along with the rendered elements*

*Roofs - Slate and Victorian tiles*

DC.90 FORTHCOMING PUBLIC INQUIRIES AND HEARINGS

The Committee received and considered details of forthcoming Public Inquiries and Hearings.

*RESOLVED*

*that the report be received.*

**PLANNING APPLICATIONS**

The Committee received and considered report 50/07 of the Deputy Director (Planning and Community Strategy) detailing planning applications, the decisions of which are recorded below.

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

As referred to below, due to the lateness of the hour, the meeting adjourned and therefore some applications were considered in the reconvened part of the meeting.

DC.91 GRO/716/6 – DEMOLITION OF EXISTING GARAGE AND ERECTION OF SINGLE STOREY SIDE EXTENSION. 25 WOODHILL DRIVE, GROVE, OX12 0DE

This application was considered in the reconvened part of the meeting.

DC.92 WAN/1645/10 – CHANGE OF USE FROM CLASS A1 (RETAIL) TO CLASS A3 (TEA ROOM). 9 NEWBURY STREET, WANTAGE, OX12 8BU

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

Further to the report the purpose of the adopted Local Plan policy was explained by the Officers, including the need to apply policy consistently. Furthermore, the Officers clarified previous uses of the application premises and commented that whilst it might be argued that recent development in the Town might have an impact on what was considered an appropriate use of this site, this was a matter to be considered when the policy was reviewed and was not a justification now for making decisions adhoc contrary to adopted policy.

At this point in the meeting, the Chair asked members of the public to refrain from interrupting the meeting.

The Officers reported that a petition signed by 765 people in support of the application had been received, but commented that this in itself was not a material consideration sufficient to override the policy reasons for refusal of the application.

Mr T Gashe, the applicant's agent made a statement in support of the application. He asked Members in considering the application to follow the process that was set out in PPS1 and had been accepted by both the courts and Inspectors as the correct procedure for determining planning applications. He reported that the 2004 Act stated that a Committee's decision must be in accordance with policy, unless there were material considerations which indicated otherwise. He explained that there were a number of such considerations, the first being the purpose of policy which the Local Plan made clear was to maintain and promote the vitality and viability of town centres as a key aim. He reported that this purpose coincided with the clear advice in PPS6 and this too was a very important material consideration in dealing with this application. He explained that PPS6 set out a number of tests to help assess whether a given development proposal did promote vitality and viability, these included to reduce vacant premises; to increase the variety and diversity of uses and activities; to encourage and increase pedestrian flows; to meet the needs of the whole community; to improve and maintain accessibility; to reflect customer and residents views and to engender safety and reduce the occurrence of crime. He commented that the current

proposal met all of these criteria. He explained that the next material consideration was to assess harm and he could see no evidence that any harm would result from approval of the application in terms of the objectives of PPS6 or the Local Plan. He referred to the report noting that concern was raised regarding the setting of a precedent should permission be given which could cumulatively have an adverse impact on retail uses in the town centre. However, Mr Gashe argued that he did not share this view, commenting that each application needed to be determined on its merits and it was unlikely that there would be another application with similar circumstances to the current application. Furthermore, he referred to a High Court judgement in *Anglia Building Society v Secretary of State* where the judge had stated that mere fear of generalised concern of a precedent effect would not normally be enough; there would have to be some evidence for reliance on it. Mr Gashe referred to his letter on the inflexibility of Policy S2 commenting that the policy failed to distinguish between those uses which were thought to create dead frontage such as building societies, estate agents and banks (Class A2) and the other non retail uses such as cafes and restaurants (A3) bars and pubs (A4) and hot food takeaways (A5). He stated that the applicant sought permission to use the premises for A3 use and that there was no right to change to A4 or A5 without permission and that the Council could remove the right to change to A2 by condition.

Some Members spoke against the application making the following comments:

- Little weight should be given in planning terms to the personal circumstances of the applicant or the popularity of the facility.
- Primary retail frontage in the Town Centre would be lost.
- The proposal might result in "dead frontage".
- Policy should be applied consistently.
- A precedent for similar applications would be set.
- A similar application in Abingdon had resulted in loss of retail frontage.
- The Local Plan, which had been considered in depth by Inspectors, had only recently been approved and it was unreasonable to grant planning permission for an application which was contrary to policy.
- There was insufficient justification to approve the application contrary to policy.

Other Members spoke in support of the application making the following comments:

- There was a considerable amount of support locally for the proposal.
- There were a number of material considerations which needed to be judged by the Committee.
- There was scope in interpretation and application of the Local Plan.
- The proposed use would encourage increased footfall in this part of the Town thus improving vitality.
- The recent new retail development in the Town was a material consideration.
- The use should be restricted to A3 only.
- Policy was to be used but there was discretion in its application.
- This application should not be compared to an application in Abingdon as the circumstances were different.
- Areas of shopping frontage should be generally safeguarded, however circumstances changed not only in planning terms but in general economic terms which affected business vitality.

- It was better to have a change of use to meet changing circumstances than to have an empty shop.
- It was believed that allowing this facility would improve the vitality of the Town Centre.
- An article in a recent Planning Magazine dated 29 June referred to an Inspector's decision to allow an appeal for a café in a town centre which raised the question whether the cafes could be regarded as adding more to the vitality of a town centre than other uses.
- Wantage was becoming a ghost town and this proposal would help bring some life back to the centre.

It was proposed by the Chair that application WAN/1645/10 be refused for the reason set out in the report.

In accordance with Standing Order 29(3) Councillor Terry Cox requested a named vote, which was supported by a fifth of the Members present. The Vote was recorded as follows: -

FOR  
Councillors:  
Richard Farrell  
Jerry Patterson  
Terry Quinlan

AGAINST  
Councillors:  
Matthew Barber  
Roger Cox  
Terry Cox  
Tony de Vere  
Anthony Hayward  
Angela Lawrence  
Sue Marchant  
Val Shaw  
Margaret Turner  
John Woodford

FOR            3  
AGAINST    10

The proposal was therefore lost. It was thereupon proposed by Councillor Terry Cox, seconded by Councillor Matthew Barber and by 10 votes to 3 it was

*RESOLVED*

*that the Deputy Director (Planning and Community Strategy) in consultation with the Chair, Vice-Chair and Opposition Spokesman of the Development Control Committee be delegated authority to approve application WAN/1645/10 subject to appropriate conditions, including conditions to prevent A2 uses and to cover details of any proposed extract systems having regard to comments made by the Environmental Health Officer.*

DC.93 GFA/2782/4-X – DEMOLITION OF BUILDING AND REDEVELOPMENT OF SITE TO PROVIDE 2 X 3 BEDROOM HOUSES, 7 X 2 BEDROOM HOUSES AND 1 X 2 BEDROOM FLAT. NEW VEHICULAR ACCESS, PARKING AND LANDSCAPING. FARINGDON TENNIS CLUB, SOUTHAMPTON STREET, FARINGDON.

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

Councillor Richard Farrell had declared a personal and prejudicial interest in this item and in accordance with Standing Order 34 he withdrew from the meeting during its consideration.

The Committee was advised that Sports England now had no objection to the proposal and had withdrawn its previous objection in view of the proposal to secure a replacement club facility. Reference was made to the conditions in the report which went some way to meeting the concerns of Sports England.

Mr Haslett made a statement in support of the application advising that he was an architect and an agent for the Tennis Club. He reported that the existing Club was based in a residential area without flood lighting or parking. He explained that planning permission had been given for facilities along Coxwell Road, negotiations for which had been protracted, although it was hoped that these would be concluded within the next two months and work would commence next year. He reported that the Club had agreed to enter into a section 106 obligation to secure a financial agreement. He commented that it was in the Club's interest for this application to be approved as quickly as possible and that he was unaware of any planning reason to refuse the application.

One of the local Members expressed his support for the application but sought confirmation that the width of the access was adequate. He considered that there was sufficient car parking and noted that Sports England had now no objection.

Another local Member raised no objection to the proposal commenting that the circumstances had not changed significantly since the earlier application in 2002.

One Member referred to financial agreements emphasising that appropriate policies needed to be in place to allow this Council to secure contributions. The Officers responded that such policies were to be drafted and would be in place in the future.

One Member referred to condition 5 set out in the report commenting that it should be time restricted.

By 13 votes to nil, it was

*RESOLVED*

*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/2782/4-X subject to the conditions set out in the report*

*with condition 5 being amended to provide that the new properties should not be occupied until the Tennis Club had been relocated and is up and running.*

DC.94 STA/6532/3 – PROPOSED ERECTION OF A GARAGE. MANOR FARM COTTAGE, FARINGDON ROAD, STANFORD IN THE VALE, SN7 8NN

This application was considered in the reconvened part of the meeting.

DC.95 KBA/6770/11 – DEMOLITION OF EXISTING DWELLING. ERECTION OF 4 DETACHED DWELLINGS WITH GARAGES, PARKING AND ACCESS ROAD. STANAB, FARINGDON ROAD, KINGSTON BAGPUIZE, OX13 5BG

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

The Officers reported that some concerns had been expressed regarding the accuracy of the submitted plans. It was explained that the confusion was due to a scale being incorrectly exaggerated on the Council's website, which was being addressed. The Committee was advised that the plan shown at the meeting was accurate and was in accordance with the measurements taken on site. It was reported that in terms of the relationship with the original application, the houses had been moved back into the site and the degree of set back was explained. The Officers reported that should the Committee be minded to approve the application a further condition should be added to require obscure glazing of the window on the rear of the building on plot 4. The relationship of the properties was explained and the elevations were illustrated. It was reported that Officers considered that the changes to the proposal met the objections previously raised and that a provision of 11 parking spaces was acceptable.

Mr G Counsell made a statement objecting the application raising concerns regarding proximity; orientation of the properties; the adverse visual impact of a continuous featureless roof; the proposal being contrary to policy; over dominance; design; impeding of the access by the garage on plot 3; the inadequate width of the road; minimum distances being insufficient; lack of consultation with the Fire Safety Officer; inadequate space around plot 4; the need to relocation the garage on plot 4; window to windows distances on plot 4 and the neighbouring property being only 18 metres and not 21; overlooking; loss of privacy; and land levels, commenting that the wall at Stanab was higher on one side than on the other.

Mr V Brown made a statement in support of the application advising that the proposal addressed the objections previously raised. He commented that the proposal sought to minimise impact on the street scene; the buildings were set back; and it was a large site with ample space for large gardens and parking. He reported that the density was in keeping with the existing in the area; the proposal did not amount to over development; there would be no loss of privacy or overshadowing of neighbouring houses or those houses on the site; the design and height were in keeping with other properties in the area; materials would be in keeping also; elevations were different to provide interest; footprints were staggered and the garages were set back. He explained the proximity of the new buildings with neighbouring properties and



commented that the proposed windows were acceptable. Finally, he reported that the access had been designed in negotiation with the County Council.

The local Member commented that the applicant had gone a long way to address the concerns previously raised but she still had some reservations namely that the garage on plot 3 should be relocated or removed; the roof of the building on plot 3 should be hipped and she was not convinced that the distances between properties were acceptable.

Some Members spoke against the application raising the following concerns:

- The proposed houses would overlook the rear of gardens of the properties in Blenheim Way.
- There were other amendments to the proposal which could be made to further address the concerns raised such as providing a hip roof to the building on plot 3 and reconsidering design to improve the “pinch point” of the garage on plot 3. The Officers responded that they considered this acceptable.
- The width of the access might be insufficient for service and emergency vehicles such as the fire service. The Officers reported that to ensure that a Certificate for Fire Prevention was secured alternative measures such as dry rise or sprinkler systems might be provided, although this was not a planning matter but would be an issue for the Council's Building Control service.
- One Member questioned the trigger point for affordable housing and expressed concern regarding the number of dwellings proposed in this case, thus avoiding the requirement to provide affordable housing. The Officers responded that the relevant policy was concerned with preventing harm to the character of the area and surrounding properties and it was highlighted that this was a difficult site in view of the neighbouring properties and planning permission for an earlier development had been refused. One Member questioned whether it would be appropriate to refuse permission where it was thought that an applicant was deliberately avoiding compliance with policy to provide affordable housing. The Officers responded that this was an option. However, in this case having heard all the arguments it was apparent that the applicant had tried to design a proposal which fitted into the site. It was highlighted that the same number of dwellings had been proposed in the earlier application which had been refused. The issue of affordable housing had been discussed at that time and had not been included as a reason for refusal. By way of clarification the Officer reported that in this case, to trigger the requirement for affordable housing, there would need to be six units proposed on the site (i.e. a net increase of five units).
- There should be a greater mix of houses, including semi detached properties with some affordable housing. The Officers reminded Members that they needed to consider the application as presented.

Other Members spoke in support of the application making the following comments:

- The proposed layout was acceptable and the impact on the amenity of neighbours was not sufficient to justify refusing the application.

The Chair sought a view from the Committee on whether the Officers should seek to negotiate with the applicant for a hip roof on the building on plot 3. It was acknowledged that the application could not be refused if the applicant declined to do

so, as the proposal was acceptable as it stood on design and impact terms. This was supported by 10 votes to nil with 2 abstentions and 2 of the voting Members not being present during consideration of this item.

By 12 votes to nil with 2 of the voting Members not being present during consideration of this item 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 KBA/6770/11 subject to:*
- (1) *the conditions set out in the report;*
  - (2) *an additional condition to require obscure glazing and top hung window on the building on plot 4; and*
  - (3) *an additional condition to require permeable surfaces to buildings, driveways and parking areas and the maintenance of those.*
- (b) *that the Officers seek to negotiate with the applicant for an amendment to the scheme to provide for a hip roof on the building on plot 3.*

DC.96 KEN/9184/1 – DEMOLITION/CONVERSION OF GARAGE, EXTEND PITCH ROOF, RELOCATE KITCHEN AND BATHROOM, NEW UTILITY ROOM AND NEW EN-SUITE SHOWER. 193 POPLAR GROVE, KENNINGTON, OX1 5QT

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

The Officers reported an amendment to paragraph 5.6 of the report in that due to the minimal height of the proposed roof structure there would not be any material impact on the residential amenity of No.191 Poplar Grove sufficient to justify refusal of the application.

Mr J Bevan made a statement objecting to the application. Whilst he noted the personal circumstances of the applicant he commented that these were not relevant in planning terms. He raised concerns regarding overshadowing; loss of day light and sunlight which he had enjoyed for over 30 years; the proposal being unneighbourly; adverse visual impact; proximity; and design. He suggested that an alternative design should be worked out which could include development to the rear of the property.

Mr C Lawrence–Pietroni, the applicant made a statement in support of the application advising that he wished to create an accessible environment. He reported that he had sought to discuss the proposal with the neighbours and he was sorry that they had objected to the application. He explained that he had sought to address any concerns, in particular loss of light in a reasonable and neighbourly way. Finally, he commented that the proposal was acceptable in planning terms.

Two Members spoke in support of the application commenting that the impact was not sufficient to justify refusal.

By 14 votes to nil, it was

*RESOLVED*

*that application KEN/9184/1 be approved subject to the conditions set out in the report.*

DC.97 GFA/10178/2 – DEMOLITION OF EXISTING BUNGALOW. ERECTION OF 9 NO. 2 AND 3 BED DWELLINGS WITH ASSOCIATED CAR PARKING. 49A BROMSGROVE, FARINGDON, SN7 7JG

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

The Committee was advised that the plans had been amended from those originally submitted and that Faringdon Town Council had raised the same concerns regarding the amended plans. In addition 4 letters of objection reiterating the same concerns as those previously raised had been received.

The Committee was reminded that the County Council had submitted a holding objection due to the site being inaccessible for waste vehicles and that the bin store was inadequate. The County Council had been asked to consider the issue again and its response was read out in full at the meeting. It was noted that the County Council had no objection to the access arrangements.

It was reported that in terms of waste collection, the Officers had consulted the waste management team who had indicated that from an operational standpoint there would be no objection to waste being deposited at a collection point for collection on the day of collection. However it was explained that the Officers had concerns regarding this as the Council's Environmental Health Officer had indicated that waste being deposited at a collection point could result in an environmental nuisance. It was commented that the applicant had confirmed that there would be a private waste collection service with a management company running the site. If this was the case, the Officer reported that they would look to secure this service by way of a section 106 agreement.

In terms of the lack of access for fire engines it was noted that a sprinkler system was being proposed.

Dr C Kinsey made a statement objecting to the application raising concerns regarding noise; increased traffic; lack of footpaths in the neighbouring Walnut Court; pedestrian safety; accessibility for large vehicles due to on-street parking; lack of parking; the inadequacy of the parking survey; access for service and emergency vehicles; environmental issues in terms of waste being left uncollected; damage to roads during construction; contractors using the car park; loss of open space and impact on local wildlife.

One of the local Members commented that the amended plans addressed concerns raised regarding over looking but he considered that further car parking would be

welcomed. He suggested that the carriage way would need resurfacing. He expressed support for the application noting that the access would be widened; the site was close to the Town centre; it did not amount to overdevelopment and that a sprinkler system was proposed. He considered that the issue of concern was refuse collection and subject to this being resolved he felt the application was acceptable.

Another local Member commented that he would welcome extra car ports commenting that it was inevitable that parking would spill into the adjoining area. He expressed some concern regarding access. He suggested that the fire issue could be overcome but that he was not entirely satisfied with a private waste collect service. He therefore considered that the application should be refused.

Another Member commented that whatever refuse collection scheme was adopted, the scheme should allow for recycling and not just waste collection. He expressed concern that the residents of the new development might feel aggrieved in that they could feel as if they were paying for a refuse collection service twice as they would still be required to pay Council Tax. He suggested that this issue needed to be considered carefully. Finally, he referred to the current waste collection service advising that smaller refuse vehicles were used to collect waste from some areas.

On consideration of this matter it was suggested that the Opposition Spokesman and the Executive Member with the portfolio for Environmental Health should be included in any delegation.

One Member suggested that consideration of the application should be deferred to enable the Officers to resolve the outstanding matters and added that the Officers should look at a condition to require permeable surfaces where possible.

One Member referred to the poor state of the road surface of Walnut Court questioning whether it would be reasonable to add a condition to require its resurfacing. The Officer responded that this was dependent on the ownership of the road but that the matter could be looked into.

It was proposed by Councillor John Woodford, seconded by Councillor Sue Marchant and by 8 votes to 6 it was

*RESOLVED*

*that consideration of application GFA/10178/2 be deferred to enable the Officers to discuss further with the applicant and local Members:*

- (1) refuse collection arrangements;*
- (2) additional car parking spaces instead of car ports; and*
- (3) resurfacing of the road surface of Walnut Court.*

**DC.98 SHI/11845/3 – ALTERATIONS TO EXISTING ACCESS AND FORMATION OF CAR PARK. THE GENERAL ELLIOT, 37 MANOR ROAD, SOUTH HINKSEY, OX1 5AS**

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

Further to the report the Officers explained that the accuracy of the plan in particular in respect of the width of the road between the outbuilding and the pub had been questioned. The Officers reported that the road was 3.7 metres wide on the ground and as such it was not wide enough to enable two cars to pass. It was explained that this contraction in width ran the entire length of the road. It was reported that the County Engineer had been consulted again and it had been confirmed that due to the geometry of the road drivers would have sufficient awareness of other vehicles and could react to avoid congestion. Therefore, the County Engineer had raised no objection to the proposal.

The Officers reported that there would need to be signing and possibly lighting of the access. Furthermore, the Environment Agency had reported that there was a low risk of flooding in this area although further clarification on this could be sought.

The Officers commented that the Parish Council had asked how the car parking could be secured for the users of the village hall. In response it was reported that a condition requiring that the car park be made available for the wider community would be unreasonable.

Finally, the Officers asked Members to be mindful of the position should planning permission be granted and thereafter the Pub closed. Members were advised to think about this carefully, noting that ensuring the vitality of a pub was important. It was explained that on balance, the Officers considered that the proposal was acceptable subject to conditions regarding flooding, signage, lighting, access. It was recommended that should the Committee be minded to approve the application, authority to do so should be delegated to the Deputy Director (Planning and Community Strategy) to enable the outstanding matters to be resolved.

Ms M Rawcliffe made a statement on behalf of the Parish Council commenting that the Pub was a valued village amenity and it was accepted that the parking was required to ensure its viability. However, she expressed concern regarding vehicle and pedestrian safety. She explained the dangerous layout of the road and referred to its bends just beyond the access point. She referred to the lack of footpath and expressed concern regarding speeding vehicles and increased traffic. She further expressed concern at the use of this access and commented that a better access could be achieved through the existing gate. Finally, she expressed concern regarding future developments should the Pub cease to trade and emphasised that these should be in keeping with the Green Belt and the village.

Mr M Balaam made a statement objecting to the application raising concerns regarding access; pedestrian safety as the access road was close to a frequently used footpath; limited visibility; patrons of the Pub not knowing about the special care needed in travelling to the Pub in view of the proximity of the footpath to the access; inaccuracy of the plans in terms of the width of the road not being properly represented; increased traffic; traffic flow being not represented; the lane being used for access to existing properties; noise; adverse visual impact; removal of the hedgerow; loss of trees; impact on the bridleway; road surfaces including Manor Road and concern that the existing gate should be used.

One Member expressed concern regarding the possible loss of the pub and considered that approval of the application should be delegated to the Deputy Director (Planning and Community Strategy) in consultation with the Chair and/or Vice Chair and local Members. He raised some concerns regarding signing, lighting and landscaping. Furthermore he expressed some concern that should the Pub be unsuccessful, the site might be developed and he questioned if this could be prevented by condition. He referred to encroachment into the Green Belt, but considered that in this case there were special circumstances to justify approval of the application.

The Officers responded that a condition preventing future alternative development would be unreasonable.

Other Members also supported the application noting that there was a balance to be struck. It was agreed that careful consideration needed to be given to lighting and signing which needed to be appropriate for this rural location.

One Member, whilst supporting the application expressed concern regarding the improvements to the access road suggesting that traffic calming measures such as rumble strips would not be appropriate in this rural location.

The Officers reported that it was proposed that a condition be added to any permission concerning the setting back of the gates far enough to allow their opening. In response to a question raised the Officers reported that it would unreasonable to require that the gate be locked.

Other Members spoke against the application raising concerns regarding the difficulty to resist development of the site in the future should this application be approved. Furthermore they were unconvinced that there were very special circumstances to justify approval of the application.

One Member suggested that Opposition Spokesman should be included in the delegation to the Deputy Director.

By 11 votes to 2 with 1 abstention it was

*RESOLVED*

*that the Deputy Director (Planning and Community Strategy) in consultation with the Chair and/or Vice and Opposition Spokesman of the Development Control Committee be delegated authority to approve application SHI/11845/3 subject to:*

- (1) the conditions set out in the report; and*
- (2) further conditions relating to flooding; signage; lighting and access.*

DC.99 STA/14707/5 – INSERTION OF AN EYEBROW DORMER INTO EXISTING ROOF THATCH. 5 CHURCH GREEN, STANFORD IN THE VALE

Carole Nicholl, Head of Democratic Services had declared a personal interest in this item and in accordance with Standing Order 35 she remained in the meeting during its consideration.

Mrs Craddock, the applicant made a statement in support of the application commenting that there would be no overlooking or adverse visual impact; there was no objection from the Parish Council; the proposal benefited from Listed Building Consent granted on appeal; there would be no noise and the proposal would enable the better use of the loft space. She explained that the level of the thatch had now changed following the renovation of the property after a fire and that concerns regarding impact and overlooking were not relevant. She commented that the outlook from the window would be minimal.

One Member reported that the local Member had no objection to the proposal.

By 14 votes to nil, it was

*RESOLVED*

*that application STA/14707/5 be approved subject to the conditions set out in the report.*

DC.100 SUN/16042/1 – DEMOLITION OF UTILITY ROOM, GARAGE AND TRAILER STORE. ERECTION OF A TWO STOREY EXTENSION. NEW ROOF & ROOF CONVERSION. REPLACEMENT WINDOWS & RENDERING OF EXISTING & PROPOSED NEW STRUCTURE. INTERNAL ALTERATIONS. WOODCOTE, COPSE LANE, BOARS HILL, OXFORD, OX1 5ER

Mr Ing, the applicant made a statement in support of the application commenting that the new garage had been constructed under permitted development. He reported that the proposed extension would be rebuilt on the original footprint of the garage which had been demolished earlier in the year. He referred to a neighbouring property which was comparable in terms of size and render. He commented that the proposal would be an improvement to the building and would not be out of keeping.

One of the local Members raised no objection to the proposal commenting that there was adequate screening and that the proposed render would not be out of keeping with properties in this area.

By 14 votes to nil, it was

*RESOLVED*

*that application SUN/16042/1 be approved subject to the conditions set out in the report.*

DC.101 NHI/16911/6 – ERECTION OF A SINGLE STOREY RIDGED ROOF EXTENSION TO EXISTING BUILDING TO FORM NEW 1 BEDROOM DWELLING. MINOR ALTERATIONS TO EXISTING PARKING AND BIN STORAGE LAYOUT. NEW WINDOW TO EAST ELEVATION OF EXISTING FLAT. 106 WEST WAY, BOTLEY, OX2 9JU

This application was considered in the reconvened part of the meeting.

DC.102 CUM/19925/1 – DEMOLITION OF EXISTING GARAGE AT SIDE OF 17 DEAN COURT ROAD AND THE ERECTION OF A TWO STOREY DETACHED 4 BEDROOM HOUSE AND A DOUBLE GARAGE ON LAND AT THE REAR OF 57 PINNOCKS WAY. LAND ADJACENT TO 17 DEAN COURT ROAD, CUMNOR HILL, OX2 9JL

Further to the report, the County Engineer had confirmed that there was an established vehicle access up to the application site.

Dr V Cheel speaking on behalf of the Parish Council and local residents made a statement objecting to the application raising concerns relating to matters already covered in the report. She particularly expressed concern regarding layout; the width of the access; rights of way and access; inadequate turning area; poor visibility for vehicle manoeuvring; access and egress; fencing restricting access and impeding vehicle movements; road safety as a result of reversing vehicles; restrictive covenants; pedestrian safety and drainage. She commented that surface water run off was a major issue; there was a risk of surface water run off to Deans Court which was already a problem; there had been severe damage to properties in Pinnocks Way due to use of the drains and that the proposal might further impact on this and the need for an assessment of surface run off.

Mr C Tucker, the applicant made a statement in support of the application commenting that conditions were proposed which would address the concerns raised regarding parking, access and drainage. He explained that surface water would drain into deep soak aways and that there was drainage for foul water in the back garden. He referred to rights of way advising that the lane leading into the site had had full vehicle access since 1929. He commented that the road had not been widened but had been resurfaced. He referred to rights of way commenting that these were informal between existing owners. He commented that concerns regarding the fence were irrelevant.

One of the local Members raised no objection to the application.

One Member questioned the siting of the access commenting that he would have concerns if it was intended that the access be moved closer to the barriers. However, the Officers confirmed that the access was as shown on the plans.

By 14 votes to nil, it was

*RESOLVED*

*that application CUM/19925/1 be approved subject to:*

- (1) the conditions set out in the report with condition 12 being amended to read as follows: -  
“12. First 5 metres of the parking/turning area must be of a bound material.”*
- (2) an additional condition (Standard Condition RE9) to require surface water details to be submitted.*



DC.103 WAN/20119 AND WAN/20119/1-LB – CHANGE OF USE OF ST ANNE'S HOUSE FROM SCHOOL DORMITORIES TO CLASS B1 OFFICE USE WITH 4 FLATS. ERECTION OF 9 DWELLINGS WITH ASSOCIATED ACCESS, GARDENS AND PARKING. 24-28 NEWBURY STREET, WANTAGE, OX12 8BZ

This application was considered in the reconvened part of the meeting.

DC.104 ABG/20143 – DEMOLITION OF EXISTING GARAGE. ERECTION OF TWO STOREY, SINGLE STOREY REAR EXTENSION AND FRONT PORCH. 23 CHILTON CLOSE, ABINGDON, OX14 2AP

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

Mr M Webber made a statement objecting to the application raising concern relating to matters already covered in the report. He particularly raised concerns regarding size; proximity to his dwelling; the proposal being contrary to planning policy; the setting of a precedent for similar applications which cumulatively would have an adverse impact on the character and appearance of the area; the proposal being out of keeping; loss of light; flooding; sewer accessibility and harmful impact.

Mr Brown, the applicant made a statement in support of the application commenting that careful consideration had been given to the design which met the relevant guidelines. He referred to the consultations between his agent and the Officers and commented on how the proposal would enhance his property. He explained that the proposal had been moved 1 metre from the boundary and that the 40 degree rule had been met to avoid overlooking and overshadowing. He explained that he wished to enhance the family home and that careful consideration had been given to design. Finally, he commented that earlier in the day, the Highways Agency had placed a cover over the man hole on the site.

One of the local Members expressed some reservations at the proposal in terms of visual impact; the creation of a terracing effect; loss of light; the adverse impact on the character and appearance of the area and drainage. She commented that this area often flooded and that there should be permeable surfaces wherever possible.

One Member referred to the distance between the proposed extension and the neighbouring property commenting that this was acceptable. Furthermore, he highlighted that it was likely that a Planning Inspector would seek to protect secondary windows.

Other Members supported the application.

By 12 vote to 2 it was

*RESOLVED*

*that application ABG/20143 be approved subject to:*

*(1) the conditions set out in the report;*

- (2) *a further condition to require permeable surfaces if after investigation the Officers consider that such surfaces are feasible; and*
- (3) *Informatives to advise of the need to include flood proof measures and to seek the necessary consent from Thames Water.*

DC.105      **ENFORCEMENT PROGRAMME**

This report was considered in the reconvened part of the meeting.

DC.106      **ADJOURNMENT OF MEETING**

Due to the lateness of the hour, it was proposed by the Chair and

*RESOLVED*

*that the meeting of the Committee do adjourn until 2.00pm on Wednesday 15 August 2007 in the Guildhall, Abingdon.*

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

None.

The meeting rose at 10.35 pm