

DC.128

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

**HELD AT THE GUILDHALL, ABINGDON
ON MONDAY, 26TH NOVEMBER, 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, Richard Gibson, Jenny Hannaby, Anthony Hayward, Angela Lawrence, Sue Marchant, Jerry Patterson and Margaret Turner.

NON MEMBERS: Councillor Jim Moley.

OFFICERS: Sarah Commins, Rodger Hood, Laura Hudson, Claire Litchfield, Carole Nicholl, Emma Parkes and Stuart Walker.

NUMBER OF MEMBERS OF THE PUBLIC: 37

DC.180 **NOTIFICATION OF SUBSTITUTES AND APOLOGIES FOR ABSENCE**

An apology for absence was recorded from Councillor Val Shaw.

DC.181 **MINUTES**

The Minutes of the Meetings of the Development Control Committee held on 24 September 2007 and 15 October 2007 were adopted and signed as correct records.

DC.182 **DECLARATIONS OF INTEREST**

Interests were declared in report 103/07 – Planning applications as follows: -

<u>Councillor</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref</u>
Richard Farrell	Personal and Prejudicial	Item 11 - NHI/2653/8-D	In so far as he was Chair of the Board of Management of the Vale Housing Association Limited which was the preferred development partner for the social housing element of the scheme	DC.190
Terry Quinlan	Personal	Item 11 - NHI/2653/8-D	In so far as he was acquainted with the	DC.190

			Member of the Parish Council who was to make a statement regarding the application.	
Terry Cox	Personal	Item 12 - NHI/2653/9	In so far as he knew Eric Batts a speaker on the application. He explained that he had known Mr Batts through the Conservative Party for many years but he was not a friend.	DC.191
Matthew Barber	Personal and Prejudicial	Item 12 - NHI/2653/9	He was acquainted with the Parish Councillor who was to speak on the item.	DC.191
Terry Quinlan	Personal	Item 12 - NHI/2653/9	In so far as he was acquainted with the Member of the Parish Council who was to make a statement regarding the application.	DC.191
Richard Farrell	Personal and Prejudicial	Item 12 - NHI/2653/9	In so far as he was Chair of the Board of Management of the Vale Housing Association Limited which was the preferred development partner for the social housing element of the scheme	DC.191
John Woodford	Personal	Item 13 - CHI/5465/19 & CHI/5465/20-LB	In so far as he had been a former neighbour of the applicant when she had lived in Abingdon.	DC.192
Terry Quinlan	Personal	Item 15 -	In so far as he was	DC.194

		NHI/18957/4	acquainted with the Member of the Parish Council who was to make a statement regarding the application.	
Jim Moley	Personal and Prejudicial Interest	Item 17 - WAN/19717/1 -X	In so far as he was a member of King Alfred's Education Trust.	DC.196
Jenny Hannaby	Personal and Prejudicial	Item 17 - WAN/19717/1 -X	In so far at the applicant was the solicitor acting for her firm and for her in a private capacity.	DC.196
Jim Moley	Personal	Item 19 - ABG/20273-X	In so far as he was a Member of the County Council, the applicant. However, he explained that he had had no previous consideration of the application and notwithstanding this he was not a Member of the Committee and so would not be taking part in any consideration of the application in any event.	DC.198
Angela Lawrence	Personal	Item 19 - ABG/20273-X	In so far as she was a Member of Abingdon Town Council which had commented on the application. She explained that she had not been involved in any previous consideration of the application.	DC.198
Tony de Vere	Personal	Item 19 -	In so far as he was	DC.198

	and prejudicial	ABG/20273-X	the Chair of Governors for John Mason School.	
Matthew Barber Roger Cox Terry Cox Tony de Vere Richard Farrell Richard Gibson Jenny Hannaby Angela Lawrence Jim Moley Jerry Patterson Terry Quinlan Margaret Turner John Woodford	Personal	Item 19 - ABG/20273-X	In so far as John Rawling one of the speakers was known to them as a former officer of the Council.	DC.198
Jenny Hannaby	Personal	Item 20 - WAN/20297	In so far as she was a Member of Wantage Town Council which had commented on the application. She explained that she had not been involved in any previous consideration of the application.	DC.199
Jim Moley	Personal and Prejudicial Interest	Item 20 - WAN/20297	In so far as he was the President of the Wantage Silver Band who would be sharing the building proposed.	DC.199

DC.183 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair asked all Councillors and members of the public to switch off their mobile telephones during the proceedings.

The Chair pointed out the emergency exits and congregation point in the event of an emergency and need to evacuate the building.

The Chair explained for the benefit of members of the public that only Members of the Committee could vote on the items on the agenda for consideration, and that whilst one Ward Member was present to make a representation to the meeting he was unable to make proposals or vote on any matter. Furthermore, the Chair explained that Officers were present to give advice to Councillors.

Finally, the Chair explained that applications had been included on the agenda for the meeting in numerical order and that applications where members of the public had given notice that they wished to speak were considered first. He reported that at this meeting it just so happened that there were public speakers on nearly every application and he therefore apologised if members of the public had to wait some time to hear the debate on the application in which they were interested.

DC.184 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.185 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.186 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33

It was noted that 15 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.

Furthermore it was noted that Councillor Jim Moley, a Ward Member with personal and prejudicial interests had given notice that he wished to make a statement on two applications.

DC.187 MATERIALS

The Committee received and considered materials as follows:-

WAN/4581/9 Demolition of Existing Store and Erection of New Retail Class A1 Store With Associated Parking And Servicing

One Member suggested that the colour of the materials should be grey rather than the corporate colours of the applicant. However, this was not supported.

By 10 votes to 3 with 1 abstention it was

RESOLVED

that the use of the following materials be approved:-

Signage – corporate blue and yellow colours

DC.188 APPEALS

The Committee received and considered an agenda item which advised of one appeal which had been lodged with the Planning Inspectorate for determination in respect of an appeal by J Cottrell, A Cottrell and D Cottrell against the service of an Enforcement Notice relating to, without the benefit of planning permission, building operations taking place involving the erection of a new building and the erection of hardstanding and also alleged change of use of the land for agriculture, all on land to the east of Woods Farm Road, East Hendred.

RESOLVED

that the agenda report be received.

DC.189 FORTHCOMING PUBLIC INQUIRIES AND HEARINGS

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

RESOLVED

that the list be received.

PLANNING APPLICATIONS

The Committee received and considered report 103/07 of the Deputy Director (Planning and Community Strategy) detailing planning applications. Applications where members of the public had given notice that they wished to speak were considered first.

DC.190 NHI/2653/8-D – APPROVAL OF RESERVED MATTERS FOR RESIDENTIAL DEVELOPMENT COMPRISING OF 38 1 AND 2 BED APARTMENTS WITH ASSOCIATED PARKING AND LANDSCAPING. ELMS ROAD NURSERY SCHOOL, ELMS ROAD, BOTLEY, OX2 9JZ (NORTH HINKSEY PARISH).

Councillor Terry Quinlan 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.

Further to the report the Committee was advised that the County Council's Head of Early Learning and Childcare had confirmed the objections to the application which

had been previously raised by the Head Teacher and Governors of Elms Road Nursery School. Also the Committee was informed that two further letters of objection reiterating the objections set out in the report had been received, together with a statement from North Hinksey Parish Council raising concerns that the block plan did not show all the school buildings and that parking for the proposal was inadequate.

The Officers explained that the amended plans had attempted to address the concerns raised by the Architects Panel, the Crime Prevention Officer and local residents. The Officers asked the Committee to note that the key changes included steeper roof pitches, increased overhangs, deeper window reveals, pedestrian entrances directly onto West Way, decorative brickwork in the rear of the elevation of block B and fencing on the eastern boundary. The Officers advised that the applicant had considered moving the block further away from the School, but due to constraints within the site it was not possible to move the block more than 0.4 metres further away.

The Officers advised that the application was considered acceptable, given the reasons set out in the report, notably that Block B would only run along a limited boundary with the School and that the close boarded fence along the boundary would prevent overlooking at ground level. The Officers considered that overlooking from the first floor was minimal and not considered harmful in this case and that child protection measures should be a matter for the School's management.

Mr Philip Stevens made a statement on behalf of North Hinksey Parish Council objecting to the application. He advised that he did not believe that the application could be lawfully determined as two school buildings situated to the north of the boundary were not shown on the plans. He explained that he felt that the number of flats was excessive in proportion to the number of parking spaces. He referred to a letter received from the Planning Officers in August 2005 which suggested that Members had had to be persuaded at that time that 41 parking spaces was acceptable in this location. He argued that there should be 70 spaces for these two bedroom flats. He commented that block B was only 1 metre from the north boundary and its height, bulk and mass were contrary to Planning Policy DC1. Finally, he advised that he did not accept that the block could not be altered.

Alison Brockliss, the Head Teacher at Elms Road Nursery made a statement objecting to the application raising concern relating to matters already covered in the report. She explained that the School accommodated children aged from 0 to 5 years old and as such the School operated outside regular term times with children in the school premises all year round. She advised that block B would overshadow the School's play area and would have repercussions for the entire outside area. She raised concerns regarding loss of light to the garden and the school building. She raised concern in respect of child protection issues, in particular the Officer's comment that this was a matter for the School. She stated that the kitchens and balconies of the proposed flats would overlook the playground and the School had genuine concerns regarding children safety.

In response to a question raised regarding whether the plans could be lawfully determined, the Officers confirmed that the plans were acceptable and that the Block was shown on the boundary. In respect of the comments in the letter from the

Planning Officer in 2005, the Officers commented that the application should be considered on its merits at this time.

Some Members raised concern regarding the proposal in terms of the adverse impact of Block B by way of overlooking, over dominance, loss of light and loss of privacy. However, it was considered that the provision of the solid wooden fence went some way towards blocking the view directly into the School garden and it was noted that a canopy covered a portion of the School garden.

Another Member raised concerns regarding child protection issues and commented that these were community issues, not just a management issue for the School. She advised that loss of light was very important and that there should not be windows overlooking a school playground. She considered that Block B could be redesigned.

One Member expressed concern that proposed Block B would abut the school boundary and that in his opinion this was too close to the School in that it would overshadow the garden. He said that a three storey building this close was unacceptable.

One Member highlighted that the scheme had outline planning permission and that there were many developments near school premises. He suggested that overlooking from kitchen windows and balconies was not sufficient justification to refuse the application. Furthermore, the Member commented that as Block B was adjacent only a small part of the boundary he did not consider that this would result in a significant loss of light.

Another Member commented that child protection was an important consideration. He advised that he could not support a proposal which in his view did not minimise the risk identified. He reported that there was no way of controlling who lived in the flats, which concerned him in view of their proximity to the School. He considered that the windows and balconies should not overlook the School and that the proposal could be redesigned to address this. He suggested that there could be a condition to require obscure glazing to the kitchens windows and screens could be placed at the end of the balconies to prevent overlooking. With reference to the car parking he reminded Members that concern had been raised at the outline planning application stage regarding this.

One Member commented that as the Crime Prevention Design Advisor had raised no objections to the scheme, he considered that there was no reason to refuse the application.

One Member agreed that child protection was an issue but he was unconvinced that the overlooking amounted to a reason to refuse the application. However he commented on his concerns regarding the level of car parking and sought an assurance that the County Engineer had commented on the amended plans. In response, the Officers confirmed that the County Engineer had been sent the amended plans.

One Member questioned whether there should be more affordable housing in this development. However, the Officers responded that the affordable housing element

had been secured by way of a legal agreement, which was based on the former Local Plan threshold which had been in place at the time of negotiations.

Councillor Terry Cox suggested that should the Committee be minded to approve the application, an additional condition should be added requiring obscure glazing to the first floor windows facing the School and the provision of screens on the balconies to prevent overlooking of the School garden. The Chair put this to the meeting by way of a straw poll and this was supported by 8 votes to 5.

The Chair proposed that application NHI/2653/8-D be approved subject to the conditions set out in the report, together with further conditions requiring obscure glazing to the first floor windows facing the School and the provision of screens on the balconies. However this was lost by 9 votes to 4.

It was thereupon proposed by Councillor Roger Cox and seconded by Councillor Jerry Patterson that consideration of application NHI/2653/8-D be deferred to enable negotiations with the applicant with a view to securing a redesign or reposition of Block B to reduce its adverse impact in terms of overlooking. However, this was lost by 7 votes to 6.

It was thereupon proposed by Councillor Richard Gibson, seconded by Councillor Sue Marchant and by 7 votes to 6 it was

RESOLVED

that application NHI/2653/8-D be refused with the reasons for refusal to be formally endorsed at a future meeting of the Committee such reasons to include the adverse and unneighbourly impact of the proposal in terms of overshadowing and overlooking from Block B.

DC.191 NHI/2653/9 – REMOVAL OF CONDITION 8 OF OUTLINE PERMISSION NHI/2653/6-X FOR THE PROVISION OF CAR PARKING SPACES ALONG THE EAST SIDE OF ELMS ROAD. ELMS ROAD NURSERY SCHOOL, ELMS ROAD, BOTLEY, OX2 9JZ (NORTH HINKSEY PARISH).

Councillors Matthew Barber and Richard Farrell had each declared a personal and prejudicial interest in this item and in accordance with Standing Order 34 they withdrew from the meeting during its consideration.

Councillor Terry Cox and Terry Quinlan had each declared a personal interest in this item and in accordance with Standing Order 34 they remained in the meeting during its consideration.

Mr Eric Batts made a statement on behalf of the Parish Council objecting to the application. He explained that the Parish Council had objected to the removal of the condition as this had been one of the key factors in influencing support for the proposal by local people at the outline planning application stage. He commented that the photograph shown of the access road had been taken on a quiet day and that there were often problems with traffic accessing the surgery and school.

One Member commented that the County Engineer had raised no objection to the removal of the condition and that the level of parking was considered sufficient. He commented that as such there were no grounds to refuse the application.

Another Member reported that the Condition had initially been acceptable to the County Engineer and he questioned why there now appeared to be a contrary view.

The Officers responded that the Condition might have been requested by the Committee and it was highlighted that on street parking was not supportive of the School's Green Travel Plan objectives of encouraging fewer children to travel to school by car.

It was noted that the Committee relied upon the advice of the County Council and if it was felt that this advice was incorrect an independent opinion could be sought. Some Members supported engaging an independent engineer although one Member expressed his concern regarding this in view of the cost implications.

One Member raised concerns regarding traffic in the area. She advised that as the Committee had had regard to local resident's comments at the time of granting permission and had imposed this Condition, if the Committee was now minded to approve removal of the condition, in her view this would not be appropriate as she felt this was in some way letting those residents' expectations down.

It was proposed by the Chair and by 8 votes to 2 with 1 abstention, (with Councillor Jerry Patterson voting against the resolution and in accordance with Standing Order 29(4) this being so recorded in the Minutes) it was

RESOLVED

that consideration of application NHI/2653/9 be deferred pending an independent Highways report on the parking in Elms Road.

DC.192 CHI/5465/19 AND CHI/5465/20-LB – DEMOLITION OF EXISTING GARAGE BLOCK. ERECTION OF A SINGLE STOREY DWELLING. CHILTON HOUSE, TOWNSEND, CHILTON.

Councillor John Woodford 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 highlighted that there were amended plans. The Committee was advised that the Consultant Architect had considered that the scheme should mirror the stable building to the side of the house and it was noted that the design had been revised having regard to his comments. The Officers reported that an additional letter had been received from the applicants outlined their plans to restore the building in keeping with the stables.

It was reported that the Officers considered that the form and design of the proposal was acceptable and with quality materials and detailing would sit comfortably with the neighbouring properties.

Ian Thompson made a statement on behalf of the Parish Council objecting to the applications raising concerns relating to matters already covered in the report. He commented that the proposal was poor with inadequate detail. He advised that there had been three applications in respect of this building and each had failed to show the detail sufficiently to enable a judgement of the application. He expressed concern regarding the design statement and he urged the Committee to refuse the application and request a new and full application with all the information requested provided.

One Member suggested that more detail was needed although this was not supported.

Another Member noted that Condition 7 required the submission of full architectural plans. He suggested that the retention of the open areas should be required by condition.

In response to a question raised it was reported that the Conservation Officer had raised no objections subject to conditions and that it had not been necessary to refer the application to English Heritage as the proposal was for a curtilage building to a Grade II listed building.

It was proposed by Councillor Patterson, seconded by Councillor Woodford and by 14 votes to nil, it was

RESOLVED

that the Deputy Director (Planning and Community Strategy) be delegated authority in consultation with the Chair and / or Vice-Chair and Opposition Spokesman of the Development Control Committee and the local Members to approve applications CHI/5465/19 and CHI/5465/20-LB subject to the submission of further plans showing full architectural details and subject to the conditions set out in the report for each with a further condition added to both permissions requiring the retention of the open areas and the submission of a boundary treatment scheme.

DC.193 STE/12024/6 – CONVERSION AND EXTENSION OF STABLE TO FORM 3
BEDROOM DWELLING. THE GABLES, 39 THE GREEN, STEVENTON, OX13 6RR.

The Committee was asked to note that Councillor Terry Fraser who had asked for the application to be presented to the Committee had hoped to attend and speak on this matter. However Councillor Fraser had tendered his apologies as he was unwell.

Further to the report the Committee was advised of an objection received from the owner of a neighbouring property raising concerns regarding development of the granary barn, which was a new extension, rather than the redevelopment of the existing building and that views of the countryside were important to this area.

Terry Gashe the Applicant's Agent made a statement in support of the application. He advised that the application had been submitted following consultations with Officers. He explained that one of the buildings was in urgent need of works to ensure its retention. He considered that the reasons for refusal were not acceptable. He advised that Policy GS7 referred to development within the built up area and therefore did not

apply to this application and Policy DC9 was concerned with the impact on neighbours which again was irrelevant in this case. Mr Gashe advised referred to Policy HE1, commenting that the scheme had been amended to reduce the height of the extension and had been moved towards the stable building, therefore only partially blocking the views. Finally, he commented that Steventon did not have Conservation Area Status.

Members did not support the application agreeing that the proposal would have an adverse impact. However, having regard to the comments of the agent it was considered that refusal of the application should be delegated to the Deputy Director (Planning and Community Strategy) to enable him to check the validity of the reasons for refusal and the policy references.

It was proposed by Councillor Terry Cox, seconded by Councillor Jenny Hannaby and by 13 votes to 1 and it was

RESOLVED

that the Deputy Director (Planning and Community Strategy) be delegated authority to refuse application STE/12024/6 subject to the reasons set out in the report, with those reasons being amended to reflect the correct policy references.

DC.194 NHI/18957/4 – AMENDMENT TO PREVIOUS APPLICATION TO DEMOLISH EXISTING GARAGE, ALTER EXISTING HOUSE AND ADD AN EXTENSION TO FORM FOUR DWELLINGS WITH PARKING. (PART RETROSPECTIVE). 44 MONTAGU ROAD, BOTLEY, OX2 9AQ (NORTH HINKSEY PARISH)

Councillor Terry Quinlan 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 noted an amendment to the report in that there would be five parking spaces perpendicular to Montagu Road.

Philip Stevens made a statement on behalf of the Parish Council objecting to the application. He reported that the car parking was inadequate for four flats. He explained that the flats were situated on a steep hill with a double bend in the road and they were only 10 metres away from the junction. He expressed concern regarding vehicles reversing out of the access onto the road so close to the junction.

David Max the applicant made a statement in support of the application commenting that he had discussions with Officers following the commencement of work on the permitted scheme to convert the loft. He reported that a draft proposal had been rejected in relation to the car parking spaces as the spaces were proposed to be parallel to the house. He advised that this amended scheme met with the approval of the Highways Authority and that traffic was very light on this road.

One of the local Members commented that the proposal was acceptable.

It was proposed by the Chair and by 14 votes to nil it was

RESOLVED

that application NHI/18957/4 be approved subject to the conditions set out in the report with conditions 1 being amended to read as follows: -

"1. Access, car and cycle parking and bin storage in accordance with specified plan before occupation."

DC.195 LON/19452/3 – ERECTION OF A DETACHED 4 BED DWELLING WITH ASSOCIATED EXTERNAL WORKS. LAND ADJOINING 22 HUGHES CRESCENT, LONGCOT, OXON, SN7 7SU.

One Member questioned whether it was acceptable to allow a property of this size given the current policy which aimed to increase the number of small properties in villages.

One Member considered that the eaves and the height of the proposed building were modest and that it would be difficult to refuse the application on the basis of the number of bedrooms.

Another Member raised concerns regarding the size of the site and commented that the hedge should be retained as the building would appear less imposing. The Officers explained that the hedge was due to be retained with the exception of the stretch immediately adjacent to the house itself.

It was proposed by the Chair and by 14 votes to nil it was

RESOLVED

that application LON/19452/3 be approved subject to the conditions set out in the report.

DC.196 WAN/19717/1-X – ERECTION OF TWO RESIDENTIAL DWELLINGS. LAND AT REAR OF PRIORY COTTAGE, CHURCH STREET, WANTAGE.

Councillor Jim Moley had declared a personal and prejudicial interest in this item and in accordance with Standing Order 34 he left the meeting during the debate on the matter.

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.

The Committee was advised that the plot size was considered acceptable for two dwellings and that the concerns raised were in relation to access to the site. The Officers considered that it was reasonable to require the completion of access works prior to the commencement of other works.

It was reported that in respect of the gate proposed in the Transport Statement, the Officers considered that this was an unreasonable condition to require. Furthermore,

the Officers reported that the condition suggested by the County Engineer in respect of delivery times was unenforceable.

Andrew St George made a statement on behalf of the King Alfred School Governors objecting to the application raising concerns relating to matters already covered in the report. He particularly referred to concerns regarding highway safety. He confirmed that the entrance to Priory Cottage was across and against the School's one way system. He commented that there were hundreds of journeys though this site. He asked the Committee to consider the insurance implications of having private land publicly used. He expressed his concern that a child would be injured as a result of this proposal.

Nicholas Young, the Head Teacher of King Alfred's School made a statement objecting to the application. He disputed that the width of the access way was acceptable without modifications. He considered the width to be hazardous. He informed the Committee that King Alfred's was a school with three sites and therefore there was a constant flow of people arriving and leaving this site throughout the day. He expressed his belief that the access should be modified in order to ensure safety.

Terry Gashe the applicant's Agent made a statement in support of the application. He advised the Committee that until 1956 the cottage had had access to the highway. He reported that the land had been purchased for King Alfred's School by way of a Compulsory Purchase Order. He confirmed that Priory Cottage had a right of access over the School drive at all times. He advised that there had not been an accident at the School in 23 years, and that the School had recently introduced the one way system. He urged the Committee to understand that the traffic flow at this access point was extremely slow. He stated that there had been a good deal of survey work to address the Schools concerns. He noted that the highway consultant had concluded that there would be minimal additional traffic created by the development, at most 12 trips per day. He confirmed that the applicant was content to comply with a condition requiring speed humps and a condition requiring space for turning emergency service vehicles.

Councillor Jim Moley made a statement objecting to the proposed development. He advised the Committee that the concerns regarding safety were so great that three members of the Trust had attended this Development Control Meeting to express their concerns. He urged the Committee to give consideration to the safety issues.

At this point in the meeting Councillor Jim Moley left the room.

One Member commented that this access point was often discussed at meetings of the Wantage and Grove Advisory Committee. She felt that this was a dangerous road.

Another Member highlighted that there would be twelve additional movements across an access that already accommodated 200 journeys. He stated that the added movements were insignificant to this development and noted that the County Engineer had no objections.

One Member raised concerns regarding the confusion in terms of the "no entry" sign to the access way and driver from three houses going against the one way system. He

considered that this road was dangerous and commented that should the application be approved, the road sign should be moved.

One Member disagreed that the access way was dangerous. He referred the Committee to the Officer's report, which indicated that the "no entry" sign would be moved back in order to make the access safer. He advised the Committee that the existence of schools did not mean that development surrounding them should be prohibited. He commented that an independent engineer's report in this case was not appropriate.

One Member commented the suggestions of the County Engineer were not fully shown and that the Committee should have sight of further plans.

It was proposed by Councillor Matthew Barber, seconded by Councillor Jerry Patterson and by 13 votes to nil 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 and the local Members without personal and prejudicial interests, be delegated authority to approve application WAN/19717/1-X subject to the receipt of a satisfactory scheme showing all the requirements under condition 7.

DC.197 KBA/20269 – ERECTION OF A TWO STOREY FRONT EXTENSION. 13 LIME GROVE, SOUTHMOOR, ABINGDON OX13 5DN

The Committee noted that at its meeting held on 5 November 2007 it had been resolved that the application be refused with the reasons for refusal to be formally endorsed at a future meeting.

Claire Marks, who had given notice that she wished to make a statement objecting to the application she declined to do so.

By 12 votes to 2 it was

RESOLVED

that application KBA/20269 be refused for the reasons set out in the report.

DC.198 ABG/20273/3-X – ERECTION OF 10 APARTMENTS COMPRISING OF 6X1 BED AND 4X2 BED FLATS WITH PARKING AND ANCILLARY LANDSCAPING. CLOSURE OF EXISTING ACCESS AND FORMATION OF NEW ACCESS OFF WOOTTON ROAD. CHAMPION HOUSE, 12 WOOTTON ROAD, ABINGDON, OX14 1JA.

Councillors Matthew Barber, Roger Cox, Terry Cox, Richard Farrell, Richard Gibson, Jenny Hannaby, Angela Lawrence, Jim Moley, Jerry Patterson, Terry Quinlan, Margaret Turner and John Woodford had each declared a personal interest in this

item and in accordance with Standing Order 34 they remained in the meeting during its consideration.

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 further to the report additional correspondence had been received from Environmental Health in relation to concerns from a local resident regarding noise and disturbance from the proposed flats. The Committee was advised that it was not necessary to add a condition covering noise as such matters were controlled under separate legislation.

The Officers highlighted the key issues affecting this application and explained that the principle of redeveloping the site and the impact of the development on neighbours was considered acceptable. In response to a further concern raised by a local resident regarding the compatibility of educational use and residential use, the Officers explained that residential use was an acceptable reuse of the site and one that would not adversely impinge on the day to day operation of the school in terms of noise and disturbance.

The Officers explained that it was felt that a more appropriately designed building would be sought and to this end an informative regarding design was suggested.

The Officers explained that the application was recommended for approval subject to the completion of a Section 106 Agreement to secure financial contributions. However, should the agreement not be completed within a reasonable timescale it was recommended that the application be refused.

Parish Councillor Martin Smith made a statement on behalf of Abingdon Town Council objecting to the application raising concerns relating to matters already covered in the report. He particularly raised concerns regarding the proposal being contrary to Planning Policy DC5; the proposed access presenting a traffic hazard as the current access was through John Mason School; pedestrian safety; traffic speed and lack of parking. He expressed his surprise that the County Engineer had not objected to the scheme. He explained that that Wootton Road was higher than the site and therefore it was likely that drivers would have to accelerate along the access slope which was dangerous. He commented that there was inadequate car parking as although the scheme advised that there were 12 spaces, two of these were for visitors.

Mr David Dorswell made a statement objecting to the applications also raising concerns relating to matters covered in the report. He explained that he was a resident of Godwin Close and he was concerned that his property would be overlooked by the proposed flats. He reported that the plans referred to a hedge on the west side which would be trimmed back and therefore he expected that his property would be in the line of sight of the development.

Mr John Rawling made a statement on behalf of John Mason Governors objecting to the application. He considered that the development raised significant concerns in terms of highway safety. He considered that Wootton Road was substandard for the

amount of traffic it carried and that the road had been developed to avoid multiple access points. He expressed his own concern regarding the accuracy of the County Engineer's comments and recommended that the Committee should defer consideration of the application pending a second opinion from an independent highway consultant.

One Member expressed his regret that the applicant did not wish to keep the existing building and commented that the proposed building was unacceptable in terms of design. He noted that more detailed plans were required in order to consider whether overlooking would be an issue. He considered that the main objection was whether the proposed access was dangerous.

Another Member agreed that an informative regarding design was necessary and expressed his unease about the County Council commenting on its own application. The Officers advised the Committee that this was unavoidable and that the County Engineer would not have had regard to this but would have commented on the highway implications regardless of ownership. It was pointed out that this authority determined its own applications.

One Member commented that the objectors had not commissioned their own independent report. He referred to the costs involved and stated that the Council did not have limitless resources for such matters. He expressed his belief that an independent highway report would not come to a different conclusion than the County's Engineers in this case. Finally, he commented that he considered that there should be an informative regarding design and commented that a building of quality should occupy this site.

It was proposed by Councillor Richard Gibson, seconded by Councillor John Woodford and by 10 votes to 3 votes (with Councillor Jerry Patterson voting against the resolution and in accordance with Standing Order 29(4) this being so recorded in the Minutes) it was

RESOLVED

that application ABG/20273/3-X be deferred to enable the Officers to seek an independent Engineer's report to assess the safety of the site.

DC.199 WAN/20297 - PROPOSED NEW ACCESS TO A417. ERECTION OF NEW BUILDING TO ACCOMMODATE FOOTBALL CHANGING ROOMS AND WANTAGE SILVER BAND. NEW LIGHTING FOR FOOTBALL AREA, CAR PARKING AND LANDSCAPING. SPORTS GROUND, LARK HILL, WANTAGE OX12 8PJ

Councillor Jim Moley had declared a personal and prejudicial interest in this item and in accordance with Standing Order 34 he left the meeting during the debate on the matter.

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

Further to the report, the Officers advised that comments had been received earlier in the day from Councillor Bill Melotti. Councillor Melotti had indicated that he had a personal and prejudicial interest in the application in so far as it related to Concords Football Club. He urged the Committee to support the application advising that the Club provided an essential service to the community with volunteer helpers who gave up their own time to support youngsters in a vital sports activity. He reported that the provision of a permanent facility for the Club would be of benefit to the Town and he was aware of a number of people who had worked hard to get to the current position and would work harder still to make this a reality. Councillor Melotti had commented that his only concerns had related to possible anti-social behaviour risks; disturbance from flood lighting and from nuisance from balls being kicked into residents' gardens. However, he considered that these were minor or low risk issues, which he thought had been recognised by the Club which would address them responsibly and that the District Council would recognise its own responsibilities in terms of anti social behaviour.

Councillor Melotti had reported that he had received one objection regarding consultation with Sport England. He had explained that whilst the comments received from Sports England were addressed in the Officer's report, he commented that he knew that there would be a great deal of support for this application among the wider community. Finally, Councillor Melotti had commented that the application was just the beginning of a huge task to create a great sports facility for young children in Wantage and he urged the Committee to support the application.

The Officers confirmed that no objections had been raised by Thames Valley Police or the County Engineer and reference was made to the statement received from Wantage Silver Band in support of the application as set out in the report. It was reported that further to the report, further letters of support had been received reiterating the comments set out in the report.

The Officers reported that an additional objection had been received raising concern relating to matters already covered in the report.

The Officers advised that the building was large but had been designed for purpose and whilst it was being built in the Area of Outstanding natural Beauty (AONB), there were further examples within the AONB of built form. It was noted that the proposed landscaping scheme would also mitigate the impact of the building. The Officers therefore considered that in the context of neighbouring properties and the wider context of Wantage the proposal was acceptable and the community benefit outweighed any visual harm.

The Officers reported that the proposal was acceptable subject to the conditions proposed, including additional conditions to address the objections raised and the comments of Thames Valley Police, namely conditions regarding floodlighting; hours of operation; sound insulation; landscaping; restriction of traffic speed at the access; restriction on the hours of construction; and a parking plan to include a turning area for coaches.

Gary Madgwick made a statement in support of the application, on behalf of the Wantage Concords and the Silver Band. He explained that the Band had been in

discussion with the Town and District Councils to secure a venue for the Band. He advised that the Band had 180 members at present which was expected to increase and there were 10 practices per week. He advised that the Concorde had not had a permanent venue and was dependent on others for training and fixtures. He considered that this development would be a major boost to the Concorde's aim of achieving FA status. He expressed his belief that there would be no loss of amenities and that the building would enhance the site.

Councillor Jim Moley made a statement on behalf of the Silver Band in support of the application. He advised that the Band was one of the largest voluntary groups in Wantage with many young people involved. He advised that the Band was extremely commendable and was important in supporting local ceremonies and events. He advised that this site had been a sports field for a number of years and that the proposed building would not detract from the fields. He urged the Committee to approve the application.

At this point in the meeting Councillor Jim Moley left the room.

One Member explained that the Band had had lengthy negotiations with the Officers and that the result had been this commendable scheme which would be of benefit to the Band and the Wantage Concorde.

One Member expressed concern regarding the proposed materials for the scheme commenting that the materials should be those as set out on the plans, which included reclaimed roof tiles, boarding and reclaimed bricks. It was considered that if the materials were to be different to those specified they should be referred back to the Committee for approval.

One Member advised that he supported this application, but wanted clarification on whether the application had been referred to the AONB Officer for comment. The Officers responded that the application had not been referred to the AONB Officer for comment, but that the application had been considered within the context of the Local Plan which addressed AONB issues.

One Member commented that although referring the application to the AONB would cause delay, as a Planning Authority the Vale should not be seen to be lenient in determining its own application by not referring the application when other applications would be referred in similar circumstances. He therefore considered that the application should be referred to the AONB Officer for comment.

By 14 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 WAN/20297 subject to :-

- (1) conditions including time limit; materials for building and hardsurfacing; a sound proofing scheme; landscaping including retention of the northern boundary*

(except access); boundary treatment for the southern boundary of the site; luminance levels and hoods of flood lights; checking of flood lighting after erection; hours of operation of flood lighting and building; a lighting scheme for the car park; approval of drainage details; provision of a parking and turning plan; details of the proposed gate; a plan of vision splays and vehicle 'tracking'; and provision of pedestrian access to the site prior to first use of building;

- (2) materials to be referred back to the Committee for approval should the material proposed be different to those included on the plan;*
- (3) the application being referred to the Area of Natural Outstanding Beauty Officer for comments.*

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

None.

The meeting rose at 10.20 pm