

DC.73

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

**HELD AT THE LOYD LINDSEY ROOMS,
ARDINGTON ON MONDAY, 6TH
OCTOBER, 2008 AT 6.30PM**

Open to the Public, including the Press

PRESENT:

MEMBERS: Councillors Richard Gibson (Chair), John Woodford (Vice-Chair), Matthew Barber, Paul Burton, Roger Cox, Terry Cox, Richard Farrell, Jenny Hannaby, Anthony Hayward, Sue Marchant, Jerry Patterson, Terry Quinlan, Val Shaw, Margaret Turner, Janet Morgan, Tim Smith and Yvonne Constance.

SUBSTITUTE MEMBERS: Councillor Bob Johnston (In place of Mary de Vere)

NON MEMBERS: Councillors Yvonne Constance, Janet Morgan and Tim Smith.

OFFICERS: Laura Hudson, Geraldine Le Cointe, Carole Nicholl, Stuart Walker, Emma Parkes, Sarah Commins, Martin Deans and Rodger Hood.

NUMBER OF MEMBERS OF THE PUBLIC: 35

DC.96 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 Mary de Vere.

DC.97 DECLARATIONS OF INTEREST

Members declared interests in report 84/08 – Planning Applications as follows: -

<u>Councillor</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref</u>
Yvonne Constance	Personal	WL/5900/5 & WLS/5900/7 – CA	In so far as the application was known to her son.	DC 107
Bob Johnston	Personal	SUN/14567/2	In so far as he was a County Councillor and had been present at the Parish Council meeting when the application had been discussed. However, he had taken not part in the discussion.	DC 112
Anthony	Personal	SUN/14567/2	In so far as the applicant's	DC 112

Hayward			agent was known to him.	
Jerry Patterson	Personal	KEN/20638	In so far as he was a Member of the Parish Council. However, he had taken no part in consideration of the application when it was discussed at the parish council meeting.	DC 116
Bob Johnston	Personal	KEN/20638	In so far as he was a Member of the Parish Council. However, he was not present at the meeting of the Parish Council when the application had been discussed.	DC 116
Terry Cox	Personal	CHD/13082/11 & CHD/13082/13- X	In so far as he knew the applicant in her capacity as a former member of staff.	DC 110 DC 111

DC.98 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair introduced himself and welcomed everyone present to the meeting, explaining that the meeting was not being held in Abingdon as was usually the case due to the Fair.

For the benefit of members of the public the Chair pointed out the Officers who were present to give advice and to minute the proceedings and he explained that only elected Members of the Committee could vote on the items on the agenda. He commented that local Members could address the Committee but could not vote on any applications unless they were a Member of the Committee.

In the unlikely event of having to leave the meeting room, the Chair pointed out the emergency exits.

The Chair asked everyone present to ensure that their mobile telephones were switched off during the meeting. He also asked everyone to listen to the debate in silence and allow anyone speaking to make their comments without interruption. Furthermore, he asked that members of the public refrained from approaching Officers and Members sitting around the table.

DC.99 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.100 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.101 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33

It was noted that 11 members of the public had given notice that they wished to speak at the meeting although 4 declined to do so.

DC.102 MATERIALS

The Committee received and considered materials as follows: -

WAN/2186/14 - St Mary's, Wantage

RESOLVED

- (a) *that the use of the following materials be approved: Freshfield Lane selected dark facings (to be used as contrasting headers in the Flemish Bond brickwork)*

DC.103 APPEALS

The Committee received and considered an agenda item detailing four appeals which had been allowed and one which had been dismissed by the Planning Inspectorate.

One Member suggested that it would be useful for the Committee to be advised at a future meeting on what could be learnt from the appeal decisions both those dismissed and allowed and how this might help guide Members in determining applications in the future. He suggested that training in this area would be beneficial and the Officers undertook to consider the suggestion.

RESOLVED

that the agenda report be received.

DC.104 FORTHCOMING PUBLIC INQUIRIES AND HEARINGS

The Committee received and considered details of forthcoming inquiries and hearings.

RESOLVED

that the report be received.

PLANNING APPLICATIONS

The Committee received and considered report 84/08 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 speak were considered first.

DC.105 CUM/80/32 - REMOVAL OF CONDITION 10 AND VARIATION OF CONDITION 12 OF PLANNING PERMISSION CUM/80/26-X. OPTION A – TO PERMIT 31 DWELLINGS TO BE BUILT PRIOR TO OFF SITE WORKS TO PUBLIC SEWER BEING COMPLETED. TIMBMET LTD, CUMNOR HILL, OXFORD, OX2 9PH

The Officers reminded Members of the drainage issues in this particular locality reporting that to attempt to overcome this problem, the applicant had been in correspondence with Thames Water, which had agreed in principle that the same level of foul sewage could be discharged from the site to the public sewer as was discharged in respect on the previous timber yard use, which had been calculated to equate to 31 dwellings.

The applicant has suggested that condition 12 be amended as set out in paragraph 1.5 of the report. However, for the reasons given in the report, Officers did not consider this would be acceptable and had therefore suggested the wording at paragraph 5.6 of the report.

It was reported that the plan attached to the report was an amended plan to that which had been originally submitted. However, it had been received too late for the text of the report to be amended to reflect this. It was explained that the plan highlighted a different allocation of the 31 units. The differences between the 2 plans was explained it being noted that the original scheme had proposed 31 units across the front of the site and had included 5 affordable units. The revised plan now provided for 22 affordable units and notwithstanding the comments made at paragraph 5.15 of the report, therefore addressed concerns expressed on the requirement of affordable units being provided at a greater level within the allocated 31 dwellings.

Further to the report, it was commented that the Parish Council had raised a further objection on the basis that this plan had not been subject to consultation. The Parish Council had commented that the plan was an amendment to the planning application and that it should have been notified and given time for consultation. The Parish Council understood that there was to be little/no landscaping associated with the development of 31 dwellings and as there was nothing in the report regarding landscaping, it had concluded that the dwellings would be in an area resembling a flattened bomb site. The Parish Council was not content that it had been given no time to consider the implications of the 31 dwellings being built in the proposed area along the NE boundary whereas it had been aware of the proposed position of the 31 dwellings in the plan included in the Glanville report for CUM/80/35 (Option D). It was reported that the Parish Council wished the Committee to be made aware that Cumnor Parish Council considered the inclusion of Appendix 1 as an amendment to CUM/80/32 and that it should have been notified and given time for consultation.

However, the Officers reported that they did not believe that the change in the specified units was so material as to warrant further consultation. It was explained that the plan had been submitted by the applicant in an attempt to address concerns raised over the affordable housing provision, even though there was no requirement under the existing permission for them to build the affordable units on a pro rata basis.

Furthermore there is no requirement under the extant consent for the developer to build out the site in a particular way. In the light of this, Officers did not see a need for further consultation on this amended plan.

It was reported that in respect of landscaping, this was covered by condition 3 of the reserved matters which required the developer to submit a scheme for approval prior to the commencement of development. Again there was no requirement in this condition for landscape works to be carried out on a pro rata or phasing basis, and as such Officers considered that it would be unreasonable, unnecessary and impractical to place such a restriction on the development above that which had already been agreed under this condition.

For the avoidance of doubt, Officers brought to Members' attention that the removal of condition 10 and the variation of condition 12 did not negate the requirements of the other conditions imposed on the outline permission and the reserved matters approval. It was explained that the applicant still needed to discharge those prior to the commencement of work on the 31 units. This included the discharge of condition 11 on the outline permission which required a scheme for surface water drainage to be agreed.

Finally, the Officer recommended approval of the application subject to the conditions set out in the report.

Vanessa Cheel made a statement on behalf of Cumnor Parish Council advising that the Parish Council took the responsibility of commenting on applications seriously. It had talked to parishioners and the comments made had been on the option A plans, which were different to those presented this evening. She stated that consideration of the application should defer until everyone had had an opportunity to look at the amended plans on which a decision was being made. She considered that work on site should not commence until such time as a foul drainage scheme had been approved beforehand and all works had been completed and any scheme was functioning completely. She referred to the need for closure of the library due to foul water drainage problems. She expressed the parish Council's worry that there was no control of surface water run off and that a scheme in this regard needed to be approved. She stated that removal of condition 10 would lessen the Council's control and she had genuine concerns regarding surface water capacity. She stated that in her brief view of the plans this evening it would appear that another infrastructure report was needed. Finally, she asked for consideration of the application be deferred.

Mr Thomson made a statement objecting to the application raising concerns relating to matters already covered in the report. He commented that condition 10 should be updated rather than removed; it was considered that because of the new sewage arrangements the proposal should be treated as a separate development; the location of 31 units should be subject to the acceptance of the original conditions, (site working and site health and safety matters were emphasised); there was a preference for 35 rather than 31 units as shown in phase 1; the new plan showed 31 units but in 3 separate blocks which was not acceptable; the application should be deferred to enable comments; and condition 10 should be updated to preserve the intent of original application.

Mr Bremmer made a statement objecting to the application commenting that there were serious problems with the sewage in the area and that there should be a plan B.

One of the local Members agreed with the comments of the Officers noting that it was not possible to decide where the developer wanted to start and what it wanted to do. He disagreed that more consultation was necessary and highlighted that condition 11 covered drainage and surface water run off. He did not consider that there was anything to consult on noting that development could not commence until a number of conditions were discharged. However, he considered that an informative should be added requiring a landscaping scheme as some houses would be sited in advance of other houses.

Other Members noted the views of the Parish Council but disagreed that the application should be deferred. It was considered that it was known what was proposed.

Reference was made to a discrepancy in the plans with one showing the garage court as having garages and the other showing parking spaces. It was noted that open fronted garages were to be fronted and this should be made clear. To this end it was agreed that an informative should be added although it was noted that the original conditions still applied.

Another local Member spoke in support of the application agreeing that an informative should be added regarding landscaping.

In response to a comment made, the Officers confirmed that there were to be 31 units only and that this was described in the application notwithstanding the detail of the plan.

In response to a comment made regarding the access, it was noted that the road layout was already approved.

By 15 votes to nil it was

RESOLVED

that application CUM/80/32 be approved subject to the condition set out in the report and informatives (1) stating that a landscaping scheme should be provided as some houses would be sited in advance of other houses and (2) stating that notwithstanding the plans submitted car ports shall be provided and not car parking spaces in respect of the houses adjacent to the houses Hurst Lane.

DC.106 SUT1167(5) TO PROVIDE SMOKING SOLUTION, NEW DECKING TO EXISTING OUTDOOR SPACE ON SIDE ELEVATION, ALLOW FOR STEP UP BY DOOR FROM BAR. ERECTION TIMBER BALUSTRADE TO FRONT OF DECKING WITH CENTRAL OPENING AND 1 JUMBRELLA. THE SWAN INN, 6 THE GREEN, SUTTON COURTENAY, OX14

Further to the report the Officers reported the receipt of an additional letter from the neighbour reiterating the concerns previously raised.

One Member expressed concern regarding the wooden decking in a smoking area presenting a fire hazard and he questioned whether a maintenance schedule should be required. The Officers responded that such matters which came under Environmental Health legislation could not be reasonably controlled by conditions on a planning permission.

One Member noted that there would be a loss of car parking spaces but it was commented that this was marginal.

Another member whilst supporting the proposal commented that the decking should be an appropriate colour such as green to be in keeping with the property.

By 15 votes to nil, it was

RESOLVED

that application SUT/1167/5 be approved subject to the conditions set out in the report.

DC.107 WLS5900(5) &(7CA) - DEMOLITION OF DETACHED GARAGE, AND THE ERECTION OF A 3-BEDROOM COTTAGE IN THE GROUNDS OF BEECHTREE COTTAGE, BEECHTREE COTTAGE, MARSH WAY, WOOLSTONE.

Councillor Yvonne Constance had declared a personal interest in these applications.

Further to the report, Officers reported that an additional 9 letters had been received from local residents all but one of which had responded previously to the planning application. An additional letter had also been submitted by DPDS Consulting Group on behalf of a local resident. It was explained that whilst 6 of the letters received made reference to the Conservation Area Consent application only, the comments received in all of the new letters concern matters to be considered as part of the planning application and not the merits of the loss of the garage. It was reported that the majority of comments received reiterated previous concerns as summarised in the report. However Officers explained the new comments as follows: -

- The water table was extremely high for much of the year because the land lay immediately below White Horse Hill and therefore drained a huge area;
- The kitchen of the White Horse Public House which was downstream had flooded four times this year already;
- As there was no mains drainage there could not be an acceptable drainage solution;
- Beechtree Cottage had been flooded in July last year and again earlier this year. Due to the slope of the plot and its position in the village relative to the

Ridgeway this resulted in Beechtree Cottage being severely impacted by run-off. Another property on this plot would exacerbate the problem;

- The Council needed to take into consideration the Council's Flood Management Policy and PPS25: Development and Flood Risk. A number of comments had been made relating to the requirements of these documents;
- The statutory test as stated within the Planning – Listed Building and Conservation Area Act 1990 meant that considerable weight should be given against proposals that harmed the setting of listed buildings. The test was also whether the proposal would preserve or enhance the character or appearance of the Conservation Area;
- There was uncertainty whether the Conservation Area application and the planning application having been submitted on separate forms satisfied the 2008 Order and regulations, (having sought advice Officers were of the opinion that the applications did comply with these regulations);
- Comments had also been raised regarding the contents of the Design and Access Statement, (in this regard Officers were of the opinion that sufficient information had been submitted in order to allow the merits of the proposal to be properly assessed).

The Officers reported that additional comments had also been received from the Parish Council raising objection to the Conservation Area Consent application stating that its comments had already been outlined in the previous correspondence and by several members of the village.

Officers reported that in light of the additional comments which had been received from neighbouring residents relating to flooding, drainage and surface run-off these new comments had been passed to the Council's Principal Drainage Engineer for further consideration. Further to his previous comments as set out in the report, in respect to objections raised on flooding and drainage issues the Principal Drainage Engineer had also stated the following: -

- The proposed development site was not located within a flood zone as indicated on the Environment Agency's Flood Map;
- The Council had on record only four reports of property flooding in Woolstone village close to the proposed development site. All were in July 2007 which had been an exceptional event. Three properties affected were located adjacent to a watercourse which had overflowed. The remaining property might have been affected by a combination of the watercourse overflowing and surface water runoff from land and highway.
- Beech Tree Cottage was not reported to this Council as being internally flooded.
- Other than in July 2007 there had been no other reports of flooding being made to the Council in Woolstone in the last 8 years.

- Ground conditions in Woolstone were predominately clay and therefore much of the flooding concerns might be as a result of surface water runoff i.e. when the ground became saturated.
- The proposed method of drainage was an acceptable means of disposal and with the absence of mains drainage was the same method currently being used by other properties in Woolstone with little problem.
- All proposed drainage work would have to comply with Building Regulations and the use of soakaway was still permissible in clay conditions.
- Groundwater and natural springs might possibly affect this area but the Council did not hold any information or records and appropriate action could be taken under Building Regulations if necessary.
- An appropriate foul and surface water scheme could be secured by planning condition provided that it was submitted and approved prior to any work commencing on the site.

Further to the report, the Officers explained that the period for the advertisement of the Conservation Area Consent application had yet to expire. The Committee was therefore asked to agree that approval of this application should be delegated to the Deputy Director in consultation with the Chair and/or Vice-Chair of the Committee subject to the expiry of the period for consultation and no new matters having been raised.

Terry Gashe from DPDS Consulting Group made a statement objecting to the application referring to a letter he had sent to Members of the Committee about these applications. He specifically raised concern regarding procedure and the requirement in the legislation in terms of two statutory tests, namely effect on the neighbouring listed building and the need to have special regard to the impact on the Conservation Area. He commented that even if a proposal only marginally failed these tests then planning permission should be refused. He commented that he considered that the proposal failed the test regarding the setting of the listed building in that the hard surface parking area would result in an intrusive appearance which would be exasperated with the parking of 4 vehicles. He considered that the parking proposed was a hard surface more akin to an urban setting. Furthermore, he considered that the removal of the large hedgerow in this rural area would result in an uncharacteristic open and exposed area. He referred to the Conservation Area explaining that he had looked at the character and he disagreed with the Officer's comments in this regard considering that the proposal would not enhance the character or appearance of the area. Finally, he reiterated that the proposal failed the two statutory tests and should be refused.

The local Member raised concern regarding flood risk commenting that flooding was a concern in the village. She explained that Beechtree Cottage was at the point of a triangle in the lane and to the right of the cottage was very narrow. She reported that water constantly ran down Church Road; there was a hill stream through the centre of the village and that there was no mains drainage. She reported that the Pub had

flooded 4 times this year and that Beechtree Cottage was still wet in June this year. She commented that the hardstanding coupled with a new cottage would increase surface water run off and hence the risk of flooding. Furthermore, she considered that the openness would be obtrusive and uncharacteristic in this location. Finally, she noted that should permission be granted a surface water scheme would be required and she asked that permeable surface materials be used.

Some Members spoke in support of the application agreeing that the proposal would be in keeping it being noted that there was a mix of cottages in the area. It was further considered that in terms of flooding the proposal was acceptable having regard to the comments of the Council's Principal Drainage Engineer who was an expert in these matters. It was however supported that permeable materials should be used where appropriate. One Member suggested that a 15 inch water soakaway should be considered.

One Member suggested that crushed stone or gravel should be used for the parking area with a view to the surface being permeable and as less urban in appearance as possible.

By 15 votes to nil it was

RESOLVED

- (a) *that application WLS/5900/5 be approved subject to the conditions set out in the report with a further condition to address slab levels.*
- (b) *that the Deputy Director (Planning and Community Strategy) be delegated authority in consultation with the Chair and/or Vice-Chair of the Development Control Committee authority to approve application WLS/59000/7Ca subject to the condition set out in the report following the expiry of the period for consultation on the advertisement consent and no new material considerations having been identified.*

DC.108 ABG/8678/7 & ABG/8678/8-LB - CONVERSION AND EXTENSION OF EXISTING FRONTAGE BUILDING TO PROVIDE 2 X 2 BED FLATS. DEMOLITION OF INDUSTRIAL BUILDINGS AT REAR AND REDEVELOPMENT TO PROVIDE 6 X 2 BED DWELLINGS INCLUDING UNDER CROFT CAR PARKING AND STORAGE. 54 OCK STREET, ABINGDON, OX14 5DE

Further to the report the Officers advised that revised comments had been received from the County Engineer following clarification from the applicant on the need for a financial contribution towards the Abingdon Integrated Transport Study (ABITS). The Officer read from the County Engineer's response which stated that looking at the number of daily trips in and out of the site (or parked in front in the case of the previous HGV visits), there used to be approximately 26 trips (assuming 2 trips for each HGV visit – one to the site and one leaving the site having been parked out in front). The proposed number of daily trips for the 8 flats would be 16 to 32 trips. Whilst this might have represented an intensified use of the site entrance from previously, the County Engineer acknowledged (1) the replacement of LGV/HGV trips with private car trips to and from the site and (2) the removal of staff cars parked in the vicinity both of

which offered an improvement to the traffic in the area. The County Engineer had therefore confirmed that she had revised her previous comments and would not be seeking contributions towards ABiTS.

The Officers reported that having regard to these additional comments the Committee was now recommended to approve the applications subject to conditions.

Furthermore, the Committee's attention was drawn to an objector's comments in paragraph 4.12 of the report in that the objector had been unable to attend the meeting to address Members personally and had specifically requested that the comments be highlighted.

Finally the Officers noted that the Town Council had objected on the grounds of access and highway safety. However, it was considered that the proposed parking and access arrangements were acceptable for the reasons given in the report and the County Engineer had raised no objections to the proposal. However, Officers wished to add to condition 7 a requirement that the vehicle turntable should be maintained and retained in good mechanical working order at all times and be free from obstruction to such use.

The application is recommended to the committee for approval subject to the conditions in the report with those changes outlined.

Some Members spoke in support of the application but expressed concern regarding the ability to enforce the use of the turntable. It was explained that this was not a matter which could be enforced but given the length of the access drive, it was expected that residents would use it as the only possible way of entering and leaving the site.

One Member drew attention to the comments of the Consultant Architect and expressed his support for the proposal. Other Members agreed commenting that the design was exciting and would be suitable for this location. In terms on access it was noted that the access had previously been used by transit vans and therefore large cars should be able to access the site. It was reported that the access was 2.8 metres.

By 14 votes to nil with 1 abstention it was

RESOLVED

- (a) *that application ABG/8678/7 be approved subject to the conditions set out in the report with condition 7 being added to by including a requirement that the vehicle turntable should be maintained and retained in good mechanical working order at all times and be free from obstruction to such use; and*
- (b) *that application ABG/8678/8-LB be approved subject to the conditions set out in the report.*

DC.109 CHD/10168/13 ERECTION OF SINGLE STOREY EXTENSION TO PROVIDE TWO BEDROOMS, BATHROOM AND CLOAKROOM WITH STAIRCASE LINK TO EXISTING HOUSE. ANGELS GRANGE, NEW ROAD, CHILDREY, OX12 9PG.

Further to the report the Officers explained that there would be the addition of two dormers also which were not referred to in the report.

The Committee was advised of a further letter from the applicant's agent. The agent had responded to the comments of the Parish Council and had stated the existing property was a conversion and that there had been other extensions.

By 15 votes to nil, it was

RESOLVED

that application CHD/10168/13 be approved subject to the conditions set out in the report.

DC.110 CHD/13082/11 - ERECTION OF 4 STABLES MEADOW VIEW EQUESTRIAN CENTRE, CHILDREY, OX12 9US

Councillor Terry Cox had declared a personal interest in this item.

It was noted that the stables which were on skids did not require planning permission. It was commented that the test was the permanency of the structure.

By 15 votes to nil it was

RESOLVED

that application CHD/13082/11 be approved subject to the conditions set out in the report.

DC.111 CHD/13082/13 - ERECTION OF A MANAGERS DWELLING TO REPLACE THE EXISTING MOBILE HOME MEADOW VIEW EQUESTRIAN CENTRE, CHILDREY, OX12 9US

Councillor Terry Cox had declared a personal interest in this item.

Further to the report, the Officers suggested that an informative be added to any permission regarding the need for single storey dwelling of modest height.

In response to a concern raised regarding the size of the dwelling for the scale of the business on site, it was explained that if the nature of the business changed to such an extent that there was no longer a business, the applicant would have to prove that was the case. It was emphasised that an independent consultant had agreed that there was sufficient need to justify a dwelling and that the detailed application would address the size.

It was clarified that the removal of the mobile home would be included in the Section 106 obligation

One Member, whilst supporting the informative, commented that this was a clever way to obtain a dwelling in the open countryside. In response, the Officers referred members to the report, which explained the matter in detail. It was explained that evidence would be needed before any tie would be relaxed. Furthermore, the applicant could not seek to relax a Section 106 within 5 years. The Legal Officer pointed out that there was a wide ambit of equestrian uses and not just the applicant's type of business.

The member reiterated that he was concerned that the applicant would wind up the business and then sell the house. The Officers responded that if the business failed the applicant would have to try to sell at a reasonable price and sell to other people with similar businesses.

By 8 votes to 7 it was

RESOLVED

that the Deputy Director (Planning and Community Strategy) be delegated authority to approve application CHD/13082/13 – X in consultation with the Chair and/or Vice-Chair of the Development Control Committee subject to: -

- (1) the completion of a Section 106 Agreement to tie the equestrian dwelling to the business on the site and the holding within the applicant's ownership, and to ensure that the dwelling is occupied by a person employed in the business on the site;*
- (2) the conditions set out in the report; and*
- (3) an informative regarding the need for single storey dwelling of modest height on this site.*

DC.112 SUN/14567/2 DEMOLITION OF EXISTING KITCHEN EXTENSION AND ADDITION OF NEW 2 STOREY EXTENSION INCORPORATING NEW KITCHEN WITH NEW BEDROOM SUITE OVER. BRETTON, LINCOMBE LANE, BOARS HILL, OXFORD, OX1 5DY.

Councillors Bob Johnston and Anthony Hayward had each declared a personal interest in this application.

Mike Rothery was due to make a statement on behalf of the Parish Council but he declined to do so.

Adrian James the applicant's agent made a statement in support of the application commenting that he endorsed the Officer's comments as set out in the report. He explained that the proposal was very modest and that the building was of no great merit, it being noted that there were a variety of styles in the area.

Michael Marshall, the applicant's agent had given notice that he also wished to speak but he declined to do so.

One of the local Members expressed support for the proposal noting that the area was well screened.

One Member commented that the parish Council had been concerned that the proposal was too contemporary and he agreed stating that the design would be out of keeping.

Other Members supported that application agreeing with the views of the Consultant Architects.

By 13 votes to nil with 2 abstentions it was

RESOLVED

that application SUN/14567/2 be approved subject to the conditions set out in the report.

DC.113 CUM/19155/4 – ENTRANCE GATES, PILLARS AND DRIVEWAY WALL 44
CUMNOR HILL OXFORD, OX2 9HB

Further to the report the Officers advised that the drawings were not accurate and therefore authority was sought to delegate approval to the Officers subject to the receipt of accurate drawings.

Some Members objected to the proposal in terms of design and harmful impact on the street scene. However, other Members supported the proposal.

In response to a concern raised the Officers confirmed that the minimum standard for the set back of gates from the highway was 5 metres.

It was proposed by the Chair, seconded by Councillor Terry Cox that the Deputy Director (Planning and Community Strategy) be delegated authority to approve application CUM/19155/4 subject to the receipt of accurate drawings. On being put, this was lost by 6 votes to 9.

By 9 votes to 6 it was then

RESOLVED

that Application CUM/19155/4 be refused with reasons for refusal to come back to a future meeting of the Development Control Committee.

Councillor Richard Farrell voted against refusal of the application and in accordance with Standing Order 29(4) asked that this be so recorded in the Minutes.

DC.114 EHE19314(2) ERECTION OF 2 STOREY REAR EXTENSION. PROVISION OF VEHICULAR ACCESS AND ASSOCIATED PARKING. THE COTTAGE, CHAPEL SQUARE, EAST HENDRED. OX128JN

Further to the report the Officers advised of the County Engineer's comments which were read out at the meeting stating that whilst the proposed access did not meet 'standards' in this case, the benefit from ensuring vehicles parked off-street would in his opinion warrant a departure. Not only did the proposal provide opportunity to reduce the risk of the 'dumping' of vehicles in the vicinity of the adjacent junction, it also provided opportunity for an adjacent cottage to park so that the highway could be accessed in a forward gear, something that at present was probably carried out with little, if any, vision from the existing vehicular access. Furthermore, in the County Engineer's opinion, the geometry of the adjacent highway, by way of alignment and width, could only constrain vehicle speeds approaching the proposed new access, hence the reduced vision splay to the right hand side at egress was acceptable.

The Committee noted that the application could therefore not be refused on the basis of highway concerns.

By 15 votes to nil, it was

RESOLVED

that application EHE/19314/2 be refused for the reasons set out in the report.

DC.115 ABG/20606-X ERECTION OF 3 DWELLINGS (ONE BUNGALOW AND 2 X 2 STOREY HOUSES) AND FORMATION OF VEHICULAR ACCESS (LAND TO REAR OF 50 SELLWOOD ROAD). 50 SELLWOOD ROAD, ABINGDON, OX14 1PF.

The Officers highlighted that concern had been expressed regarding traffic, traffic congestion and on street parking. However, the County Engineer had raised no objection to the proposal. In addition it was highlighted that this site was outside the flood plain. Officers had consulted the Environment Agency on the application, which had responded stating that there was a low environmental risk and that it was not prepared to comment any further. Finally, it was commented that the Officers considered the proposal acceptable for the reasons explained in the report.

Helen Wigginton made a statement objecting to the application commenting that the proposed development had been rejected by Abingdon Town Council; she represented 26 householders in the surrounding area; the Committee should take into account the strength of local feeling against the application; a petition signed by 16 residents against the proposal was handed in; there was the risk of flooding to new and existing houses; it was likely to flood again; the buildings would increase the chance of flooding; the area for absorption of rainwater could be reduced by 44%; the proposal was within metres of the flood zone; she questions the suitability of building on this site; how drainage and sewage water would be dealt with had not been detailed; the sewer and storm drainage needed modernising; there would be an increase in traffic; she had concern for pedestrian safety particularly school children;

the access and traffic would be dangerous; there would be on street parking; Members should visit the site prior to determining the application; the noise from traffic would be considerable; there would be an adverse impact on wildlife; there had already been a loss of trees; it was agreed that there was a need for more affordable housing but not on this site; there was a need to maintain the character and integrity of the area; the proposal amounted to over development of the site; and the proposal was set a precedent for similar development elsewhere.

Wendy Harrison had given notice that she wished to speak objecting to the application but she declined to do so.

Victoria Butterworth the applicant's agent had given notice that she wished to speak but she declined to do so.

One of the local Members spoke against the application raising concerns regarding the potential flood risk and concern that three additional dwellings would increase the risk of flooding due to increases surface water run off. It was noted that although the site was outside the flood zone it was located near the area most affected by flooding. He expressed surprise at the Environment Agency's comments and suggested that consideration of the application should be deferred to enable further clarification to be sought.

Another local Member spoke against the application raising concerns regarding highway safety and increased traffic. She stated that she had concerns regarding pedestrian safety in particular and noted that this was a busy area in terms of parked vehicles, traffic and traffic congestion. She referred to the number of school children in the area whom were being encouraged to cycle and walk to school near this busy corner and commented that the proposal would increase highway danger. Furthermore, she was concerned regarding vehicles accessing onto Sellwood Road on this busy corner and she was amazed at the County Engineer's comments. She suggested that confirmation of the highway comments should be sought.

Some Members spoke against the application making the following comments: -

- There were concerns regarding the number of bedrooms and whether this would increase the number of vehicles per household and therefore the County Engineer's comments. However the Officers report that the County Engineer would have made a judgement regarding the size of buildings compared to what was around and would have estimated the number of bedrooms based on that.
- There was some concern regarding the lack of information about the design and whether there would be rooms in the roof. The Officers explained that these were matters which would be dealt with at the reserve matters stage included the eaves height.
- An assurance from the Officers was sought that if parking issues arose at the reserve matters stage then the Committee would be able to control them. The Officers reported that the Committee was being asked to agree a 2 storey and a 1 storey building but that there could be rooms in the roof space. Parking

was issue at this stage and it appeared that it would not be easy to accommodate more parking on this site.

Some Members spoke in support of the application making the following comments: -

- The Environment Agency did not object to the proposal.
- A condition to address drainage was proposed.
- The County Engineer had already commented and raised no objection in terms of highway safety.
- The distances proposed were in accordance with design guidance.
- The strength of feeling against the application was not a material planning consideration.
- There was no reason to refuse the application.
- There would be no over dominance as one of the dwelling proposed was to be a bungalow.
- There would be some overlooking but this was common when houses were back to back.
- The site was only a haven for wildlife as the owners had not cut back the grass. It was just a normal garden.
- There was some sympathy for the concerns of residents but the views of the County Engineer were clear and therefore an independent second opinion was suggested although this was not supported.

The scale and layout of the dwellings were explained it being reported that there would be no direct overlooking.

One Member suggested that an informative should be added to any permission stating that notwithstanding the illustrative drawings; the full application must be sensibly designed having regard to the limited parking on site. However, this was not supported but instead a condition was agreed to prevent rooms in the roof space.

By 15 votes to nil it was

RESOLVED

that application ABG/20606-X be approved subject to the conditions set out in the report and a further condition preventing the use of he roof space for additional accommodation.

DC.116 KEN/20638 CHANGE OF USE OF EXISTING THREE BEDROOM DWELLING TO TWO X TWO BEDROOM SELF CONTAINED FLATS, CAR PARKING/BIN STORE AND AMENITY SPACE AND TWO STOREY SIDE EXTENSION. 10 POPLAR GROVE, KENNINGTON, OXFORD, OX1 5QW.

Councillors Bob Johnston and Jerry Patterson had each declared a personal interest in this application.

Mr Pope, the applicant's agent made a statement in support of the application commenting that the proposal accorded with planning policies and that there was a requirement for small dwellings in mixed communities. He explained that there were no objections from neighbours or the County Engineer it being highlighted that the car parking on the site was acceptable. He noted that the Parish Council was concerned regarding family dwellings being split but commented that the Government found this acceptable.

Members supported the proposal

By 15 votes to nil it was

RESOLVED

that application KEN/20638 be approved subject to the conditions set out in the report.

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

None.

The meeting rose at 9.35 pm