

DC.158

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

**HELD AT THE GUILDHALL, ABINGDON
ON MONDAY, 5TH JANUARY, 2009 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, Mary de Vere, Anthony Hayward, Sue Marchant, Jerry Patterson, Terry Quinlan and Margaret Turner.

SUBSTITUTE MEMBERS: Councillor Tony de Vere for Councillor Val Shaw and Councillor Richard Webber for Councillor Richard Farrell.

NON MEMBERS: Councillors Bill Melotti, John Morgan and Julia Reynolds.

OFFICERS: Laura Hudson, Carole Nicholl, Emma Parkes, Sarah Commins, Martin Deans and Mike Gilbert.

NUMBER OF MEMBERS OF THE PUBLIC: 15

DC.195 **NOTIFICATION OF SUBSTITUTES AND APOLOGIES FOR ABSENCE**

The attendance of Substitute Members who had been authorised to attend in accordance with Standing Order 17(1) were recorded as referred to above with apologies for absence having been received from Councillors Richard Farrell and Val Shaw. An apology for absence was also recorded from Councillor Jenny Hannaby.

DC.196 **DECLARATIONS OF INTEREST**

Members declared interests in report 136/08 – Planning Applications as follows: -

<u>Councillor</u>	<u>Type of Declaration</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref</u>
Roger Cox	Personal and Prejudicial	GFA/4905/9	In so far as he resided opposite the application site.	DC.206
Matthew Barber Margaret Turner	Personal	WAN/20566/1 – X	In so far as they were acquainted with one of the objectors.	DC.212
Mary de Vere Tony de Vere Jerry Patterson Richard Webber	Personal	ABG/19459/2	In so far as they were Members of the Executive which would consider the matter as land owner.	DC.208

Matthew Barber Roger Cox Terry Cox Paul Burton Mary de Vere Tony de Vere Richard Gibson Anthony Hayward Sue Marchant Jerry Patterson Terry Quinlan Julia Reynolds Margaret Turner Richard Webber John Woodford	Personal	SHE/19759/1 and SHE/19759/2 – CA	In so far as they were acquainted with the applicant in his capacity as a colleague District Councillor.	DC.210
Jerry Patterson	Personal	WAN/20297/2	In so far as he was the portfolio holder for leisure.	DC.211

DC.197 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair introduced himself and welcomed everyone present to the meeting.

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. He reported that there were three local Members present at the meeting.

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.198 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.199 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.200 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING
ORDER 33

It was noted that nine members of the public had given notice that they wished to speak.

DC.201 MATERIALS

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

CUM/80/32 - Timbnet, Cumnor

It was noted that samples of materials, namely three bricks and three sets of tiles, had been available on site for Members' perusal.

One Member commented that he did not support the use of artificial slate. Furthermore, some Members considered that one of the bricks was too pale. It was suggested that the bricks and tiles should be considered together and that further samples should be sought from the applicant.

By 14 votes to nil it was

RESOLVED

that the applicant be requested to provide further samples of materials.

DC.202 APPEALS

The Committee received and considered an agenda item setting out details of four appeals which had been dismissed by the Planning Inspectorate. In respect of the appeal relating to 23 Horsecroft, Stanford in the Vale, it was noted that there was a second appeal which had been allowed.

RESOLVED

that the agenda item be received.

DC.203 FORTHCOMING PUBLIC INQUIRIES AND HEARINGS

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

RESOLVED

that the agenda item be received.

PLANNING APPLICATIONS

The Committee received and considered report 136/08 of the Deputy Director (Planning and Community Strategy) detailing planning application, the decisions of which are set out below. Applications where members of the public had given notice that they wished to speak were considered first.

DC.204 ARD/507/1 - RETROSPECTIVE APPLICATION FOR THE CHANGE OF USE OF THREE BARNs FROM AGRICULTURAL TO CLASS B8 STORAGE RED BARN FARM, ARDINGTON

It was highlighted that the County Engineer had objected to the proposal details of which were set out in the report and it was noted that the use 8 years ago was not relevant.

Mr P Waddy the applicant's agent made a statement in support of the application asking the Committee to consider the application in regard to the Lockinge Estates as a whole. He referred to matters already covered in the report explaining that the site had been used for storage since 2002 and that sustainability was the key issue in this case. He commented that concerns regarding increased vehicle movements and parking were unfounded and that submitted with the proposal was a traffic count detailing vehicle movements. He commented that the number of staff quoted was incorrect. He advised that a section 106 agreement would limit the traffic. He referred to the local businesses using the site commenting that its use was economically viable for them. He explained that Red Barn only was used for storage but that there was no one based there. He reported that the views of the County Engineer were concerning in that he had received comments saying there were no objections to the proposals. He noted that the proposed section 106 agreement would restrict the use of the site for businesses on the estate and stated that Circular 5 of 2005 stated that planning permission should not be refused where a section 106 agreement could make a proposal acceptable. He commented that the proposal enabled local businesses to continue and that there was a special case to approve this application particularly having regard to the local employment.

The Officers clarified that the County Engineer had submitted comments raising no objection but had then changed his view to a recommendation of refusal. It was explained that the report referred to the most recent comments of the Highway Authority. Furthermore, in response to the comments made regarding special exceptions and what could be contained within a section 106 agreement and what conditions were relevant, the Officers referred to Circular 11/95 and Planning Policy Guidance 4 (PPG4), relevant extracts of which were read out at the meeting. It was noted that restricting occupancy did not make a proposal more acceptable.

Some Members spoke against the proposal noting that the proposal was contrary to planning policy as set out in the report and that the County Engineer had objected. It was considered that there were no exceptional circumstances to approve the proposal in this case and that to do so would be unreasonable and would set a precedent for similar applications.

One Member noted the advice referred to in Circular 11/95 and PPG4 commenting what whilst not wishing to prejudice local businesses, the scale of the proposal could become quite out of proportion and it could be difficult to refuse similar applications on

other sites in the open countryside. It was noted that the buildings were not of such high quality that their retention would be required.

In response to a comment made, the Officers reported that consideration of enforcement action would be the subject of a report to a future meeting of the Committee.

By 13 votes to nil, it was

RESOLVED

that application ARD/507/1 be refused for the reason set out in the report.

DC.205 SAH/653/6 - CHANGE OF USE FROM GARDEN/GAMES ROOM TO WORK ROOM FOR EXCLUSIVE USE OF CURTAIN MAKING BUSINESS (RETROSPECTIVE) 25 LANSDOWNE ROAD, DRY SANDFORD

The Officers highlighted that this was a private road and that the main concern raised was traffic generation, although it was noted that the County Engineer had raised no objection to the proposal. Furthermore, it was noted that the Environmental Health Officer had not received any complaints regarding noise. However, it was explained that the Officers considered it reasonable to make any permission personal to the applicant having regard to the type of business on the site.

Mr David Mercer, the applicant made a statement in support of the application explaining that the concerns raised regarding vehicle movements were unfounded and that some comments made had been exaggerated. He reported that he had closed his long work room in Dunmore Court and that he and his wife were aiming towards retirement and now operated a smaller business from this site. He explained that no other staff were employed and that the workroom was sunk down $\frac{3}{4}$ of a metre and therefore the structure was not visible from the road. He commented that there were no concerns regarding noise and that concerns raised seemed to be regarding delivery vehicles along the private road. He commented that use and upkeep of this road had been contentious for some 40 years. He stated that residents had eventually contributed towards it resurfacing. He explained that as he had contributed towards the resurfacing works he had regard to the need to retain the surface and would not wish to see large vehicles using it which could cause damage. He reported that there were about 10 refuse vehicle movements per month and that there was pedestrian access to the village. He commented that he did very little private work so very few cars visited the site. He explained that there was little activity to disturb anyone.

By 14 votes to nil it was

RESOLVED

that application SAH/653/6 be approved subject to the conditions set out in the report.

DC.206 GFA4905(9) VARIATION OF CONDITION 4 OF GFA/4905/6-X TO ALLOW FOR AMENDMENT TO THE DESIGN OF THE ACCESS ROAD TO SERVE THE

PERMITTED HOUSING THE WILLOW HOUSE, 18 COXWELL ROAD, FARINGDON
SN7 7EB

Councillor Roger Cox had declared a personal and prejudicial interest in this item and he left the meeting during its consideration.

In response to comments raised, the Officers reported that the proposal was a valid planning application. It was explained that the main issue was that the original plan had provided for a 1.8m footway for the entire length of the access road, whereas the revised design had only a footpath for the first 11 metres along the access with the remainder being a narrower shared surface.

It was reported that comments had been received from the County Engineer who had as confirmed that there were no objections to the proposal. The detailed response of the County Engineer was explained.

It was noted that there was a holding area which would allow vehicles to wait and not reverse out onto Coxwell Road. It was explained that the likely traffic would be 4 to 5 vehicle movements in the peak hour. The County Engineer had been guided by the Manual for Streets, a guidance document recently published by the Government which promoted greater use of shared surfaces as it was believed that drivers would be more cautious when using shared surfaces. This document stated that shared surfaces worked well when they served cul-de-sacs; where there would be less than 100 vehicle movements per hour at peak times and where there was designated parking, as was the case with this application. It was noted that on this basis the County Engineer had concluded that the proposed shared surface design was acceptable and safe.

The Officers highlighted that another issue of concern raised was the relocation of the sub-station, it being noted that it was now proposed to be sited behind No.24 Beech Close where a new enclosure had been constructed. It was explained that a sub-station was generally permitted development when it was on operational land. This was the subject of current investigation but it appeared that the proposed sub-station was on operational land. Therefore, it was reported that the relocation of the sub-station was within permitted development and did not require planning permission.

The Committee noted that original the intention had been that the access road would be adopted but now this was not the case although the County Council as highway authority was interested in the proposal in terms of highway safety. It was noted that the County Engineer had deemed the proposal to be safe which was the main consideration. The Officers therefore supported the application with the Committee being recommended to delegate authority for approval to the Deputy Director (Planning and Community Strategy) in consultation with the Chair and/or Vice-Chair of the Development Control Committee subject to revised wording of the condition.

Mike Wise made a statement on behalf of the Town Council objecting to the application, raising concerns relating to matters already covered in the report. He particularly raised concern regarding the worsening of the access in terms of width and adverse impact on highway safety; inadequate access for emergency vehicles noting that an ambulance would not be able get past a fire engine for example; the

need for large lorries to reverse out onto Coxwell Road; the proposal being non compliant with the Oxfordshire Residential Design Guide; pedestrian safety in particular children and mothers with prams; conflict of use between pedestrians and vehicles; visibility and the proposal being put for financial reasons.

Mr D Janata, the neighbour at No.16 Coxwell Road made a statement objecting to the proposal raising concerns relating to matters already covered in the report. He particularly raised concern regarding design; the width of land being misleading as a second fence to the side of the lane had yet to be erected; disagreement regarding 4 to 5 vehicle movements per hour at peak time noting that there would be 10 additional houses; the proposal to vary a condition being misleading and inadequate; the need for the road to be constructed in accordance with the approved plans; the need for a variation of the planning permission itself and not just a condition to it; surprise at the County Engineer's comments in support of the proposal noting that the County had published its own design guide and this proposal did not comply with it; the reason for the application which was to avoid the removal of a porch which the developer owned; the application being about financial benefit; the motive of the developer; access to the site being marginally acceptable in this case prior to the proposed amendments which worsened the situation; the narrowness at the junction; the lack of pavement and pedestrian safety noting this was a school route.

Mr A Miles the applicant's agent made a statement in support of the application commenting that the County Council as Highway Authority had raised no objection to the road layout; the Principal Waste Officer had agreed that subject to a drainage waiver, waste could be collected from within the site; the Manual for Streets had been published after the original application had been approved; shared pedestrian, cyclists and vehicle surfaces were supported; traffic would be slow; it had been estimated that there would only be 4 to 5 vehicle movements per hour at peak times; two vehicles would be unable to pass but this was no different to the original design; the junction at Coxwell Road would be no different to that approved; visibility to the north would be the same; the relocation of the sub-station did not require planning permission and the access would be safe and would accord with national guidance.

In response to the comments made the Officers reminded the Committee that the financial benefits of the application and the motives of the applicant were not material planning considerations.

One of the local Members referred to the need for evidence of an agreement between the landowner and the electricity supplier regarding the sub-station and it was noted that this was being sought.

One of the local Members commented that he agreed with the concerns expressed by the objector commenting that the access was inadequate and that had this design been agreed in the original proposal the application would have been refused. He expressed concern regarding pedestrian safety noting that the access was considered marginal in the first instance. He considered that the access was too narrow and he was concerned regarding the impact on neighbours.

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

- Members of this Council were not experts on what was safe in highway terms and therefore there was a need to rely on experts for their comment. In this case the County Engineer had expressed his support for the proposal.
- If there was some concern regarding the expert opinion received the Council could commission another independent highway consultant to consider the proposal but that this was not considered necessary in this case.
- Shared surfaces were safe due to slower traffic.

Some Members spoke against the application raising the following concerns: -

- pedestrian and highway safety;
- vehicles parking in the passing area, near the junction of Coxwell Road;
- the proposal did not meet newly published guidelines;
- concerns that once the further acoustic screen and bollard lighting was provided the access would be even narrower; and
- disbelief regarding the estimated number of vehicles at peak times.

It was noted that bollard lighting was to be provided but that this was to be outside of the carriage way.

It was proposed by the Chair 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/4905/9 subject to revised wording of the condition. However, this was lost by 7 votes to 4 with 2 abstentions and 1 of the voting Members not being present during consideration of this item.

By 13 votes to nil with 1 of the voting Members not being present during consideration of this item it was

RESOLVED

that consideration of application GFA/4905/9 be deferred pending the Officers seeking: -

- (1) *the views of an independent highway engineer on the safety of the revised road design;*
- (2) *further clarification from the County Engineer on: -*
 - (i) *his comments particularly regarding the estimated number of vehicles per hour during peak times;*
 - (ii) *his view on concerns raised regarding parking on the passing area; and*

- (iii) *whether his advice would be the same if this was a private road and not adopted.*

DC.207 CUM/15539/1 - DEMOLITION OF REAR EXTENSION, ERECTION OF NEW EXTENSION AND DORMER WINDOW, 139 CUMNOR HILL, OXFORD

Mr Kevin Appleton made a statement objecting to the application raising concerns relating to matters already covered in the report. He explained that he was the owner and occupier of Dormer House and had been since 1999 and that his house had been built in the dog yard / garden area of the former police properties which had been converted into a row of four terraced houses. He particularly raised concern regarding over development of the original plot; loss of privacy highlighting that there had been restrictions on the design of his house in terms of height and no windows on the gable end and that the dormer would allow the occupants a full view of the whole of the front of his house as well as the rear; approval of the proposal negating the intention of the original decision in 1999; next door there was a fence and hedge which prevented overlooking but this was not the case for this site; and precedent of second story dormers along the terrace.

One of the local Members expressed his support for the application commenting that the amended dormer was acceptable and that in his view any overlooking would not be harmful.

One Member sought clarification of the height of the dormer from the floor level querying whether the overlooking could be substantially worse than the existing overlooking. He referred to a photograph taken from the existing window where the dormer would be sited which was displayed at the meeting commenting that very little of the garden of Dormer House was hidden from view.

One Member responded that there were about 11 properties that overlooked the garden of Dormer House and that there would be no additional harm caused from the proposed dormer window.

Another Member commented that the sill height seemed very low and only some 300mm above floor level and questioned whether a Juliet balcony was needed. The Officers responded that this was a building control matter.

The Officers explained that permitted development rights had been removed when planning permission had been granted originally and that the purpose of this was not to prevent any further development but to ensure that planning permission was granted for it.

Other Members agreed that Dormer House was already overlooked and that the current proposal would make little or no difference to the current situation and as such should be approved.

By 12 votes to nil with 2 abstentions it was

RESOLVED

that application CUM/15539/1 be approved subject to the conditions set out in the report.

DC.208 ABG/19459/2 - RETROSPECTIVE APPLICATION FOR THE CHANGE OF USE OF PART OF THE OLD STATION YARD TO PROVIDE EXTERNAL SEATING. THE PLOUGH INN, 61, STERT STREET, ABINGDON

Councillors Mary de Vere, Tony de Vere, Jerry Patterson and Richard Webber had each declared a personal interest in this application.

Further to the report, the Committee was advised that the type of seating provided was not subject to planning permission and that the Committee was being asked to consider the change of use of the area only.

One Member raised concern regarding storage of the seating, but it was noted that this was not a planning matter. Reference was made to the condition set out in the report which it was agreed should be added as an informative to any permission rather than a condition.

By 14 votes to nil, it was

RESOLVED

that application ABG/19459/2 be approved subject to an informative advising that the area between the main entrance door of the public house on Old Station Yard and the pedestrian footpath on Stert Street be kept clear of any benches.

DC.209 SHR/19548/3 - ERECTION OF 3 DETACHED DWELLINGS AND ASSOCIATED PARKING.LAND TO THE REAR AND WEST OF 6 STAINSWICK LANE, SHRIVENHAM

Further to the report, the Officers reported receipt of an additional letter received from the residents on No 53 raising concerns relating to matters already covered in the report and requesting that there should be boundary treatment in that there should be a defined boundary line of at least 5 metres, preferably in the form of a 4ft high or less Cotswold stone wall constructed prior to the development of the site and that access for maintenance should be allowed. Furthermore, concern was raised regarding street lighting and the adverse impact this would have on their property.

It was commented that there was a three metre buffer and this would be landscaped. It was considered that a wall would be unreasonable as it would affect the light to the window. It was commented that the arrangement was no different to other properties along the High Street. It was suggested that should permission be granted an additional condition should be added to restrict the use of the footpath to residents of the site only and requiring details of how this would be achieved to be submitted for approval.

Members supported the application disagreeing with the objections raised.

By 14 votes to nil it was

RESOLVED

that application SHR/19548/3 be approved subject to the conditions set out in the report and an additional condition to restrict the use of the footpath to residents of the site only and requiring details of how this would be achieved to be submitted for approval.

DC.210 SHE/19759/1 &SHE/19759/2-CA - DEMOLITION OF EXISTING STONE WALL AND REBUILD ON NEW LINE. CONVERSION OF BARNs TO ONE DWELLING .HOME FARM, FERNHAM ROAD, SHELLINGFORD

Councillors Matthew Barber, Roger Cox, Terry Cox, Paul Burton, Mary de Vere, Tony de Vere, Richard Gibson, Anthony Hayward, Sue Marchant, Jerry Patterson, Terry Quinlan, Julia Reynolds, Margaret Turner, Richard Webber and John Woodford had each declared a personal interest in this item.

By 14 votes to nil it was

RESOLVED

that applications SHE/19759/1 and SHE/19759/2 – CA be approved subject to the conditions set out in the report.

DC.211 WAN/20297/2 - VARIATION OF CONDITIONS 2, 8 AND 9 OF PLANNING PERMISSION WAN/20297SPORTS GROUND, LARK HILL, WANTAGE

Councillor Jerry Patterson had declared a personal interest in this item.

Further to the report, the Officers highlighted that the Town Council had not objected to the application but had sought some form of temporary lighting to the car parking area.

Furthermore, it was reported that four letters had been received from residents, one of which was in support of the proposal; two letters raising concerns regarding the access but it was noted that these concerns did not relate to the variation of conditions and one letter raising concerns regarding the existing access and problems of people misusing the field.

It was commented that the Officers were concerned regarding the use of the car park outside of day light hours and therefore considered that it was reasonable and necessary to provide lighting to the car parking area prior to the occupation of the building or the installation of the floodlights, whichever was the soonest.

By 14 votes to nil it was

RESOLVED

that application WAN/20297/2 be approved subject to the conditions and informative set out in the report.

DC.212 WAN/20566/1-X - OUTLINE APPLICATION FOR THE ERECTION OF THREE TWO-STOREY DWELLINGS. 49 CHARLTON ROAD, WANTAGE

The Officers highlighted that the County Engineer had raised no objection to the proposal but had requested a financial contribution towards transport infrastructure. However, the Officers commented that for a scheme of this size it was considered that there were no grounds to request the contribution which was considered unreasonable.

Further to the report it was noted that an additional letter had been received from a consultant acting on behalf of the residents of No.45 raising concerns relating to matters already covered in the report and in particular commenting that whilst there was no objection to infill at the front, it was suggested that there should be one dwelling or a pair of semi detached properties which were in keeping with the vernacular line of development; the principle of backland development was out of character with the immediate surroundings and the spirit of development; there would be visual intrusion and overlooking in respect of the two buildings at the rear which was not understood as the plans were only two-dimensional; there were concerns regarding traffic, access, the setting of a president for more accesses, proximity, loss of light and privacy to rear parts of existing gardens and overlooking to No.51.

The Officers reminded the Committee that this was an outline application and that the plans were illustrative only. It was commented that the density would be 35 dwellings per hectare which would be below the recommended minimum density of 40 dwellings per hectare and therefore three dwellings would not be overdevelopment of this site.

Mr Lilly representing the residents of No.45 made a statement objecting to the application raising concerns relating to matters reported earlier in the meeting. He commented that infilling at the front with one dwelling was not in question. However, he particularly raised concern regarding the principle of development of the back garden which he commented would not be in keeping with the spirit of development for backland. He commented that whilst there were other backland developments in Charlton Road, none had resulted in an adverse impact or un-neighbourliness and he considered this proposal would. He stated that the plan showed two two-story houses which he considered was unacceptable commenting that this new development would not have a good relationship with existing development. He stated that adequate open space should be retained and that he was concerned regarding overshadow and siting. He considered that the proposal was unacceptable in the it was contrary to Planning Policy DC.9 in that development should not be permitted if it would unacceptably harm the amenity of neighbours in terms of visual intrusion, loss of day light etc. He suggested that if any Member had doubt about this proposal then they should defer its consideration and visit the site. He suggested that by standing outside No.45 Members would be able to appreciate the impact that the proposal would have in terms of overdevelopment, loss light and loss of privacy.

Mr Matthew Green, the applicants agent made a statement in support of the application commenting that the current proposal had been put forward having regard

to advice received from the Council Officers following lengthy negotiations and discussions. He stated that that the application was for outline permission only to establish whether the principle of development was acceptable. He advised that reserve matters would form a further separate application. He drew attention to Planning Policy commenting that the proposal was acceptable. In terms of loss of light, he suggested that as the proposed properties were to the north of the existing properties this would be minimal. He stated that the access already existed.

One of the local Members speaking on behalf of the other two local Members commented that the site was a double plot and as such there was no objection to the proposed house at the front of the site in line with the existing frontage. She stated that plot 3 next to No.51 might face northwest but it was only 1 metre away from the west boundary of the garden of No.51 which only received sunlight in the afternoon from the west. Therefore plot 3 would deprive a significant part of the garden of No.51 from sunlight. Reference was made to paragraph 5.6 of the report stating that the height to the eaves of the proposed dwelling was 3.7metres, however, she believe that the full height to the roof line would be around another 2metres. She commented that this would cast a significant shadow of around 5.7metres across the neighbour's garden which was very narrow being only 6.7metres. She stated that although the proposed flat roof garage at 2.7metres did not seem much higher than a 2metre permitted fence, it was some 35% higher and the shade from the garage would cast a shadow across almost half of the width of the neighbour's garden. She asked Members to bear in mind the dimension of the proposed house and garage which would run alongside the boundary fence. The double garage would be around 3metres and the house probably around 6metres. She stated that again this would mean that a significant part of the garden of No.51 would be in shade for a great part of the afternoon, particularly from late summer onwards when the sun was lower in the sky. The local Member commented that a two dimensional plan did not illustrate the impact that plots 2 and 3 would have on the neighbouring gardens satisfactorily. She explained that when she had stood in the garden on No.51 and visualised a large house plus a garage only 1 metre away from the fence, she could immediately sense the over dominance and sheer intrusion that the proposal would have on privacy for the resident. She stated that it was obvious that the garden of No.51 would remain in shade most of the time with the occasional glimpse of sunlight as it slanted between the garage & house, then right at the end of day at the bottom of the garden. It was explained that the resident of No.51 was a pensioner who lived alone and was extremely anxious and distressed at the prospect of excessive development. The resident enjoyed the garden and the proposal would significantly adversely impact on her enjoyment of it. The local Member stated that plot 2 would be very close, namely 12 metres away, to the living are of No. 45 it being noted that that property had an extension and patio. In conclusion, the local Member stated that plots 2 and 3 of the proposal should be refused as they would adversely impact on the enjoyment of amenity by the neighbours by way of intrusion, loss of privacy, over-dominance, un-neighbourliness and loss of sunlight (particularly in the case of no. 51) which was contrary to Policy DC9. Finally, she stated that should the Committee be minded to approve the application she asked that the reserve matters application be presented to a future meeting for consideration to ensure that the inevitable detrimental effects were minimised and those affected had a chance to put their case forward.

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

- The proposal was not dissimilar to other back land development and was not considered out of keeping or over development.
- The overshadowing of No.51 needed to be considered but this would be resolved at the reserve matters stage.
- The proposal was typical of Charlton Road it being noted that there was a similar development opposite.
- The proposal houses on plots 2 and 3 would be north of the existing development.
- An informative should be adding stating that notwithstanding the illustrative drawings of this application it was expected that the reserve matters application would provide a sensitively designed scheme having regard to the impact on the amenity of neighbours.
- The proposal was not out of character or keeping and there were no material reasons to refuse the application.

It was suggested that the design, scale and massing of building on plots 2 and 3 needed to be carefully thought out having regard to the impact on neighbours and it was agreed that an informative in this regard should be included with the granting of permission notice.

By 14 votes to nil it was

RESOLVED

that application WAN/20566/1 – X be approved subject to the conditions set out in the report together with an informative advising that notwithstanding the illustrative drawings it is expected that the reserve matters application should provide a sensitively designed scheme having regard to the impact on the amenity of neighbours.

DC.213 LBA/20707 - ERECTION OF AN AGRICULTURAL POLE BARN (PART RETROSPECTIVE) HOLBORN FARM, HOLBORN HILL, LETCOMBE BASSETT

By 14 votes to nil it was

RESOLVED

that application LBA/20707 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 9.15 pm