

DC.204

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

**HELD AT THE GUILDHALL, ABINGDON
ON WEDNESDAY, 30TH JANUARY, 2008
AT 2.00PM**

Open to the Public, including the Press

PRESENT:

MEMBERS: Councillors Terry Quinlan (Chair), John Woodford (Vice-Chair), Roger Cox, Terry Cox, Richard Farrell, Jenny Hannaby, Anthony Hayward, Angela Lawrence, Sue Marchant and Margaret Turner.

OFFICERS: Sarah Commins, Martin Deans, Mike Gilbert, Geraldine Le Cointe and Carole Nicholl.

NUMBER OF MEMBERS OF THE PUBLIC: None

DC.262 **NOTIFICATION OF SUBSTITUTES AND APOLOGIES FOR ABSENCE**

Apologies for absence were recorded from Councillors Matthew Barber, Tony de Vere, Richard Gibson, Jerry Patterson and Val Shaw.

DC.263 **DECLARATIONS OF INTEREST**

Declarations of interest were made in respect of report 136/07 – Planning Applications as follows: -

Councillor / Officer	Type of Declaration	Item	Reason	Minute Ref
Carole Nicholl	Personal and Prejudicial	WAT/13873/5	In so far as she own property adjoining the application site.	DC.269
Angela Lawrence	Personal	ABG/18589/5 & /6-LB	In so far as she was a Member of Abingdon Town Council which had commented on the application. She explained that she had had no previous consideration of the matter.	DC.270

PLANNING APPLICATIONS

The Committee received and considered the remainder of report 136/07.

DC.264 HAR/1123/10 – RETROSPECTIVE APPLICATION FOR CONSTRUCTION OF
TIMBER DECKING ACROSS STREAM AND ERECTION OF CLOSE BOARD
FENCING. BUMBLE BARN, CHURCH LANE, HARWELL, OX11 0EZ

The Committee noted that at its meeting held on 17 December 2007, it had been resolved that this application be refused with the reasons for refusal to be formally endorsed at a future meeting of the Committee, such reasons to include the concerns of the Environment Agency that construction of decking over a watercourse was not encouraged in view of future maintenance requirements of the watercourse and possible flooding implications.

It was noted that the adverse impact of the fence in terms of visual harm had been discussed but it had not been agreed that the application should be refused in view of this as there were no public view of the site. Furthermore it was commented that the proposal did not adversely impact on the Conservation Area and therefore this could not be used as a reason for refusal.

One Member referred to concerns raised at the last meeting regarding the cumulative impact should other premises along the stream choose to construct similar decking. However, it was noted that the Committee had not agreed this as a reason for refusal as each application should be considered on its merits.

One Member referred to the comments of the Drainage Engineer as set out in the report raising no objection to the application and it was explained that this was not new information.

The Officers clarified that the reason for refusal best reflected the Committee's view.

Some Members raised concern regarding the proposal and whether this was reasonable having regard to the comments of the Drainage Engineer. The Officers commented that the information presented now was the same as that presented at the earlier meeting.

The Chair proposed that application HAR/1123/10 be refused for the reason set out in the report. This was lost by 8 votes to nil with 2 abstentions.

In terms of procedure, it was reported that the current position was that the Committee had resolved to refuse application HAR/1123/10 but that the reason to do so had not been agreed. Therefore, a report would be made to a future meeting of the Committee seeking authority to either agree another reason for refusal or to seek to revoke the earlier decision to refuse permission and to approve the application.

DC.265 RAD/2496/5 - PEBBLE HILL MOBILE HOME PARK, RADLEY, CERTIFICATE OF LAWFULNESS

The Committee noted that this item had been withdrawn from the agenda.

DC.266 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, BOTLEY, OX2 9JZ

One of the local Members noted the report of the independent traffic consultant commenting that he disagreed with the use of the word “relatively busy” in describing the amount of traffic along Elms Road. He commented that there was a significant amount of traffic. He referred to a request from the Parish Council asking that if the Committee should be minded to approve the application, the residents of Elms Road should each be written to advising of the reason for approval. In response it was noted that it would not be reasonable for the Officers to do this as it would then be difficult to justify not doing the same for other objectors. It was commented that the District Council received some 20,000 letters per annum regarding planning applications and that it did not have the resources to respond to them. Instead it was suggested that one of the local Members could advise the Parish Council of the consideration of the application and the reason for any decision made so that the Parish Council could inform local residents if it felt that this was necessary.

One Member regretted the outcome of the independent traffic report commenting that on its basis it would be difficult to resist development in the future. He commented that no account had been taken of car ownership.

The Officers clarified that the purpose of the policy was to restrict car use and not car ownership. It was explained that the County Council had commenced a review of its car parking standards which it was hoped would be continued.

One Member commented that if parking and a sustainable location were separate, then parking was a concern. The Officers clarified that parking for new residents would be on site. It was explained that when the original application had been approved, the additional parking on Elms Road had been seen as a means of easing congestion at peak times.

By 9 votes to nil with 1 abstention it was

RESOLVED

that application NHI/653/9 be approved.

DC.267 WAT/4336/3 - PROPOSED ERECTION OF A REAR CONSERVATORY. 43A HIGH STREET, WATCHFIELD SN6 8SZ

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

By 10 votes to nil, it was

RESOLVED

that application WAT/13873/5 be approved subject to the conditions set out in the report.

DC.268 ECH/4121/3 – DEMOLITION OF EXISTING FLAT ROOF GARAGE. ERECTION OF A REPLACEMENT PITCHED ROOF GARAGE. (RE-SUBMISSION) GABLE COTTAGE, LETCOMBE HILL, EAST CHALLOW, OX12 9RW.

One Member questioned whether it would be possible for the garage to be used as a separate dwelling and if a condition to prevent this should be added to any permission. However, the Officers advised that this was not considered necessary as the building was too small.

By 10 votes to nil, it was

RESOLVED

that application ECH/4121/3 be approved subject to the conditions set out in report.

DC.269 WAT/13873/5 – ERECTION OF A DETACHED DOUBLE CARPORT, 27 HIGH STREET, WATCHFIELD, SN6 8SZ

One Member whilst not objecting to the application raised some concern regarding the size of the garden and questioned whether the proposal was acceptable in view of the lack of amenity space. In response, the Officers commented that objecting to an application on the grounds of lack of amenity space was often difficult to justify on appeal and therefore, it was not considered reasonable to refuse the application on this basis in this case.

By 10 votes to nil it was

RESOLVED

that application WAT/4336/3 be approved subject to the conditions set out in the report.

DC.270 ABG/18589/5 & ABG/18589/6-LB - ERECTION OF OPEN SIDED SHELTER AT REAR OF PROPERTY. REPLACE REAR WINDOW WITH DOORWAY. THE BREWERY TAP, 40-42 OCK STREET, ABINGDON, OX14 5BZ

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

The Officers advised that should the Committee be minded to approve the applications a further condition should be added to each permission to require details of the door to be agreed.

One Member suggested imposing a condition to prevent enclosing the openings. It was noted that the new legislation required 50% of any structure for the purposes of allowing people to smoke should be open and it was suggested that an informative should be added to both permissions to advise the applicant of this.

It was noted that closure of the shelter would be a breach of the Environmental Health legislation and was not a planning matter.

By 10 votes to nil, it was

RESOLVED

- (a) *that application ABG/18589/5 be approved subject to :-*
- (1) *the conditions set out in the report;*
 - (2) *a condition seeking details of the door; and*
 - (3) *an informative to advise the applicant of the need to retain the openness of the structure in order to comply with the relevant legislation.*
- (b) *that application ABG/18589/5 be approved subject to :-*
- (1) *the conditions set out in the report;*
 - (2) *a condition seeking details of the door; and*
 - (3) *an informative to advise the applicant of the need to retain the openness of the structure in order to comply with the relevant legislation.*

DC.271 ENFORCEMENT REPORT - 5 THE ORCHIDS, CHILTON, OX11 0QP, 8 WORDSWORTH ROAD, ABINGDON OX14 5NY AND BUMBLE BARN, HARWELL OX11 0EP

The Committee received and considered the remainder of report 135/07 of the Strategic Director which sought approval to take enforcement action in the case of Bumble Barn, Harwell. The Committee noted that earlier in the meeting, the

Committee had considered a reason for refusal of an application in respect of the timber decking at Bumble Barn. The Committee had not agreed the reason and therefore it was not considered appropriate to take enforcement actions at this time.

By 9 votes to nil, it was

RESOLVED

that no further action be taken at this time in respect of pursuing enforcement action against the owners of Bumble Barn, Harwell to secure the removal of the timber decking over the stream.

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

None.

The meeting rose at 4.00 pm