

# DC.273

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

**HELD AT THE GUILDHALL,  
ABINGDON ON THURSDAY, 24TH  
APRIL, 2008 AT 6.30PM**

**Open to the Public, including the Press**

PRESENT:

MEMBERS: Councillors John Woodford (Vice-Chair - in the Chair), Matthew Barber, Terry Cox, Richard Farrell, Jenny Hannaby, Angela Lawrence and Val Shaw.

SUBSTITUTE MEMBERS: Councillor Pat Lonergan for Councillor Tony de Vere, Councillor Chris Wise for Councillor Sue Marchant and Councillor Laurel Symons for Councillor Terry Quinlan.

EX-OFFICIO MEMBER: Councillor Melinda Tilley – Leader of the Opposition.

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

NUMBER OF MEMBERS OF THE PUBLIC: 15

DC.353 **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) was recorded as referred to above with apologies having been received from Councillors Tony de Vere, Sue Marchant and Terry Quinlan.

Apologies for absence were also recorded for the reconvened part of the meeting from Councillors Roger Cox, Richard Gibson, Anthony Hayward, Jerry Patterson, Margaret Turner and Chris Wise

DC.354 **DECLARATIONS OF INTEREST**

Members declared interests in report 188/07 as follows: -

<u>Councillor</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref</u>
Jenny Hannaby	Personal	WAN/10044/3	In so far as she was a member of the Town Council which had commented on the application. She explained that she had been present at the meeting to hear the debate but that she had taken no part in the deliberations on the matter.	DC.357

Roger Cox	Personal	GFA/12807/10 and GFA/12807/1-LB	In so far as he was a Member of the Town Council which had commented on the application. However, he explained that he had not taken part in any deliberations on the application.	DC.358
Chris Wise	Personal	WTT/20222/1	In so far as he was a Member of the Wootton Parish Council which had commented on the application. However, he explained that he had not taken part in any deliberations on the application.	DC.360
Val Shaw	Personal and Prejudicial	WTT/20222/1	In so far as she was acquainted with the agent.	DC.360

**DC.355      URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS**

For the benefit of members of the public the Chair explained that it had been necessary to adjourn the meeting of the Committee and reconvene this evening in view of the lateness of the hour and the unreasonableness to continue the meeting on Monday evening.

**DC.356      STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33**

Eight members of the public had given notice that they wished to speak at the meeting. However, one member of the public declined to do so.

**PLANNING APPLICATIONS**

The Committee received and considered the remainder of report 190/07 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.357 WAN10044(3) REMOVAL OF CONDITION 10 OF PLANNING PERMISSION  
WAN/10044/2 FORMER OAKES BROS SITE, GROVE ROAD, WANTAGE, OXON  
OX14 7AA

Councillor Jenny Hannaby had declared a personal interest in this item but was not present during consideration of the application.

Further to the report the Committee was advised that the County Highways Authority had estimated that it could be 24 months before a pedestrian crossing was provided. It was clarified that the applicant had already made the financial contribution towards the crossing.

One Member whilst raising no objection to the application expressed strong concerns regarding the delay by the County Council in providing a pedestrian crossing. He considered that a two year wait was unacceptable and he suggested that the Officers should write to the County Council expressing this Committee's concerns, in particular the unsatisfactory situation which would result whereby this development would occupied without the safety issues being properly addressed. It was commented that refusal of this application would be unreasonable and that the applicant should not be penalised due to the lack of progress in providing a crossing by the County Council.

By 8 votes to nil it was

*RESOLVED*

*that application WAN/10044/3 be approved.*

DC.358 GFA/12807(10 & 11)- REPORT AMENDMENT TO APPLICATIONS  
GFA/12807/8 AND GFA/12807/9-LB TO CREATE TWO ADDITIONAL SELF-  
CONTAINED ONE BEDROOM FLATS. DEMOLITION OF EXISTING LEAN-TO  
EXTENSION. ERECTION OF NEW EXTENSION TO REAR OF COURTYARD, AND  
PROVISION OF CYCLE STORAGE, PORTWELL HOUSE, 27 MARKET PLACE,  
FARINGDON, SN7 7HU

Councillor Roger Cox had declared a personal interest in this item. However, he was not present during consideration of this item.

One of the local Members commented that parking was a problem and that there was no evidence that this concern had been addressed. He explained that there was a limited public transport network; there was a known parking problem in Faringdon generally and the County Engineer had reservations. As such he considered that the application should be refused.

Other Members agreed with the comments of the local Member and considered that further advice should be sought. However, one Member disagreed noting that concerns regarding parking associated with other development in Faringdon had been unfounded.

It was proposed by Councillor Matthew Barber, seconded by Councillor Angela Lawrence and by 7 votes to 1 with 1 of the voting Members having already left the meeting,

*RESOLVED*

*that consideration of applications GFA/12807/10 and GFA/12807/11- LB be deferred to enable clarification to be sought from the County Engineer on his comments in respect of this application.*

DC.359 WAN/20127/1 – ERECTION OF 5 DWELLINGS WITH ASSOCIATED ALTERATIONS TO THE ACCESS AND CAR PORTS 1 EBLANDS COTTAGE, CHALLOW ROAD, WANTAGE, OX12 9DW.

The Committee was advised that the Town Council had objected to the amended plans also.

It was noted that the Drainage Engineer was now content having regard to the additional information received as referred to in the report.

The Committee noted the concerns of the objector which were outlined. It was highlighted that the density which had been raised as a concern was in accordance with planning policy and was therefore acceptable.

The Committee noted that comments had been received from Councillor Joyce Hutchinson, one of the local Members which were read out at the meeting. She had raised concerns regarding overdevelopment of the site; the access; increased traffic; pedestrian safety; loss of garden area and harmful impact on the character and appearance of the area.

Mrs M Buzzard, speaking on behalf of residents made a statement objecting to the application raising concerns relating to matters already covered in the report. She particularly raised concerns regarding the number of houses; heights of buildings; layout; adverse impact of the proposal; dominance; the height of the dwelling on plot 7; proximity; overlooking from windows; loss of privacy; distances being less 9 metres; the height of the car ports; the span across the window; the car ports being the same height as bungalows; overshadowing; overlooking of other properties; pollution in terms of noise and smell from traffic; heavy traffic; narrow roads; exits and egresses; density; the access road being narrow; the site being cramped; the heavy soil; loss of trees and soil; parking; the need for screening and adverse impact on wildlife.

Mr Stevenson, speaking for the applicant made a statement in support of the application commenting that the land was surplus to requirements and that there was a desire to get the best value and ensure the maintenance of this land. It was explained that the applicant had liaised with the Council Officers and the County Engineer to produce an acceptable scheme. He explained that the previous scheme for 7 houses had been withdrawn and that a number of changes had been made. The car ports height had been reduced and car ports had been set back with roofs sloping away; the proposal would not be overbearing or harm the amenity of the area. There would be no overshadowing given the roof slope away from the gardens and that the

car port would provide a buffer to the parking area and bungalows. A garage was to be removed and there were other changes to other plots. The highway concerns had now been addressed and the proposal would provide 5 new houses on a brown field site which accorded with local plan policies and guidance.

The other local Member who was present at the meeting agreed with the comments made by Councillor Joyce Hutchinson commenting that the houses at the entrance to the site appeared cramped and there were concerns regarding the car port. She considered that there would be an adverse impact on the amenity of the neighbouring bungalows and she considered that the car ports should be removed from the scheme.

Other Members spoke in support of the application considering that there were no material planning reasons to refuse the application. However, it was agreed that the proposal would be much improved with the car ports removed and additional planting being provided along the boundary.

By 9 votes to nil, it was

*RESOLVED*

*that the Deputy Director (Planning and Community Strategy) be delegated authority to approve application WAN/20127/1 subject to: -*

- (1) the conditions set out in the report; and*
- (2) receipt of amended plans showing the removal of the car port.*

DC.360 WTT/20222 1 DEMOLITION OF EXISTING SIDE EXTENSION AT 12 ST PETERS CLOSE AND FOR THE ERECTION OF A TWO STOREY TWO BEDROOM DWELLING AND REPLACEMENT PORCH TO EXISTING DWELLING LAND ADJACENT TO 12, ST PETERS CLOSE, WOOTTON, ABINGDON. OX13 6LD

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

Councillor Val Shaw 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.

Mr Peter Thrippleton speaking on behalf of other families made a statement objecting to the application raising concerns regarding approval setting a precedent for similar development which cumulatively would have a harmful impact in terms of overdevelopment and adverse impact on the character and appearance of the area; increased traffic; safety of children; noise in this quiet cul-de-sac; parking; the proposed parking condition and the inability to see how this could be met; loss of privacy; over looking; loss of gardens; traffic; traffic safety; sewage and drainage; the inability to sell houses and access and egress to the site

Mr Mark Olive, the applicant's agent made a statement in support of the application commenting that the material could be matching; the proposal would not affect the character and appearance of the area; there were similar extension; there had been pre-application discussions so issues of overlooking and overshadowing had already been addressed; parking had also now been addressed; permeable materials could be used; £1,000 had been paid toward local transport services and the proposal would not amount to over development.

Members spoke in support of the application considering that there were no grounds to refuse the application.

One Member commented that should the Committee be minded to approve the application another condition should be added to require permeable surfaces.

By 7 votes to nil with 2 of the voting members having left the meeting it was

*RESOLVED*

*that application WTT/20222/1 be approved subject to the conditions set out in the report.*

DC.361 HAT/20322 ERECTION OF OFFICE, TACK ROOM, STORE, STORAGE BARN AND TEMPORARY DWELLING (RETROSPECTIVE) AND CHANGE OF USE OF LAND TO EQUESTRIAN, GREY FOX STABLES, HATFORD, FARINGDON SN7 8JE

Further to the report, the Officers explained that an amended plan had been received showing a new siting of the mobile home.

It was reported that the Parish Council had commented on the amended plan reiterating its previous objections, notably concerns regarding the access from the site and traffic.

The Officers reported that comments had been received from Chris Boreham which were reported at the meeting. Mr Boreham had commented that the site had been purchased with the benefit of planning permission and that no condition had been imposed regarding access. He considered that there would be no increase in traffic and that the application should be approved.

The Committee was advised that the objection from the neighbouring occupier had now been withdrawn.

The Committee noted that additional plans had been received which were acceptable to the County Engineer.

One Member referred to a letter from Hatford Parish Council and asked whether the Parish Council could be reassured that a permanent home would not be located on this site. The Officers clarified that the planning permission was for a three year period and that the temporary permission was to allow time to determine whether the business would become viable.

By 8 votes to nil, with 1 of the voting Members having already left the meeting it was

*RESOLVED*

*that application HAT/20322 be approved subject to the conditions set out in the report.*

DC.362 KBA/20349 CONSTRUCTION OF THREE DWELLINGS. WEST HAYES, FARINGDON ROAD, SOUTHMOOR, OX13 5BH.

Further to the report the Committee was advised that the comments of the consultant architect were incorrect and that the correct comments had been circulated to Members outside of the meeting.

The Committee noted that the proposed turning area / driveway had been moved away from the back windows of West Field.

The Officers clarified that there had been discussions as to whether the site was within the built up part of the village or not. It was noted that the County Engineer had indicated that there should be no more intensification of the access and that three dwellings, but no more might be acceptable.

It was explained that the Officers considered the proposal acceptable and that it was considered to be within the village. It was considered that the impact was acceptable and it was noted that the windows had been amended to reduce overlooking.

The Officers advised that should the Committee be minded to approve the application two additional conditions should be added to provide for amended plans and bin storage on the site.

Mr Peter Uzzell, the applicant's agent made a statement in support of the application commenting that it had been intended that development would be limited to the previous domestic curtilage. He explained that the number of dwellings proposed had been influenced by the views of the County Engineer who was supportive of a maximum of three dwellings only as a greater number of dwellings would increase the number of vehicle movements which could have a detrimental impact.

The local Member welcomed the removal of the windows and drive away from West Field.

By 8 votes to nil with 1 of the voting Members having already left the meeting it was

*RESOLVED*

*That application KBA/20349 be approved subject to: -*

- (1) the resolution of the outstanding matters concerning the detailed design of the proposal;*
- (2) the conditions set out in the report; and*

- (3) *two additional conditions should be added to provide for amended plans and bin storage on the site.*

DC.363 SUT/20422 GARDEN ROOM WITH ATTACHED GARDEN STORE.  
(RETROSPECTIVE) THE NOOK, CHURCHMERE ROAD, SUTTON COURTENAY,  
OX14 4AQ

Mr David Hignell on behalf of the Parish Council made a statement objecting to the application raising concerns relating to matters already covered in the report. He particularly expressed concern regarding harm caused to the character and appearance of the area; the houses already being built and the need to protect residential amenities; annoyance at the application being retrospective; the large size of the building and its adverse effect on the Conservation Area; loss of outlook; size; dominance; height; overshadowing; the report understating these matters; the report being misleading regarding height and slab levels. Finally, he suggested that this retrospective application should be refused.

Mr Peter Foley, the applicant made a statement in support of the proposal. He apologised for the application being retrospective which he explained had been due to wrong advice from the agent in that it had been thought that the proposal would be allowed under permitted development rights. He noted the Parish Council's concerns but commented that the house had been designed by the same architect as the neighbours. He explained that the architect had had regard to all matters. He commented that there would be no overlooking, no loss of open aspect and that the wall with the neighbour had been increased in height.

One Member expressed concern regarding the increased height of the wall questioning whether this would require planning consent. The Officers confirmed that a wall higher than 2 metres in this location would need planning permission.

By 8 votes with 1 of the voting Members not being present during consideration of this item it was

*RESOLVED*

*that application SUT/20422 be approved subject to the condition set out in the report.*

DC.364 ENFORCEMENT PROGRAMME

The Committee received and considered report 188/08 of the Deputy Director (Planning and Community Strategy) which sought authority to take enforcement action in respect of two cases.

The Committee considered both cases as follows: -

- (1) Mr G Wright and Mrs J Wright - unauthorised development, including two steel shipping containers on land to the west of the George and Dragon Public House, Upton



Further to the report the Committee noted that a letter had been received from Mrs Wright in respect of the unauthorised development at the George and Dragon Public House in Upton which was read out in full at the meeting. Mrs Wright had claimed that she was of the opinion that the land was being used for its intended purpose which was grazing animals. Mrs Wright had advised of the rare breed of sows kept and she had referred to the geese, ducks and chickens being bred and the horses being looked after. She had reported that she was tidying up the site and that much debris including a scrap car had been removed. Mrs Wright had noted concerns regarding bonfires on the site but had suggested that the concerns raised might relate to the bonfires started on the railway embankment. With reference to the caravan, she had explained that this was used for taking breaks and sleepovers on the odd occasion when animals were ill or there was a fear of trespassers. With regard to the shipping containers Mrs Wright had explained that these were used for secure storage and were barely visible.

The local Member whilst noting the comments of Mrs Wright supported taking enforcement action. He commented that one of the shipping containers had been on site for more than two years. He commented that he had visited the site and that there was concern regarding the increased height of the chicken enclosure. He noted that the land was sub let to Mr and Mrs Wright for what they described as "hobby farming". He reported that the activity upset local people and he questioned whether a professional view as to whether this activity was sustainable farming could be sought and whether there was a justification for anything remaining on the site.

The Officers responded that the issue to consider was the nature and structures of holdings it being noted that chutles did not require planning permission.

It was commented that the Officers would look at all matters including the nature of the activity, the size of the site and the legal differences regarding what could be done under permitted development rights if it was an agricultural undertaking as opposed to those for "hobby farming".

The local Member also asked that other aspects of the activity on the site and the comments of the North Wessex Downs Area of Outstanding Natural Beauty should be looked into and he requested that he and the Parish Council be advised of any responses and information.

One Member commented that this was a clear case of where enforcement action should be taken promptly.

(2) Mr Wells – unauthorised extension at Mather House, White Road, East Hendred

Members supported taking enforcement action in this case,

By 8 votes to nil with 1 of the voting Members having already left the meeting it was

*RESOLVED*

- (a) 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 take enforcement action against Mr G Wright and Mrs J Wright of 1 Mackenzie Avenue, Milton Heights in regard to land to the west of the George and Dragon Public House, Upton (UPT/17983/2-E refers) to remove the unauthorised development, including the two steel shipping containers from this land if he considers it expedient to do so; and*
  
- (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 take enforcement action against Mr L Wells of Mather House, White Road, East Hendred, Wantage Oxon OX12 8JG (EHE/16146/2 refers) to remove the unauthorised extension at Mather House if he considers it expedient to do so.*

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

None.

The meeting rose at 8.10 pm