

DC.25

**MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL
COMMITTEE (CONSIDERING SOUTH
AREA APPLICATIONS)**

**HELD AT EAST HANNEY ON
MONDAY 20 JUNE 2005
AT 6.30PM**

SECTION I (Open to the Public, including the Press)

PRESENT:

MEMBERS: Councillors Sylvia Patterson (Chair), Terry Quinlan (Vice-Chair), Roger Cox, Tony de Vere, Richard Farrell, Peter Jones, Richard Gibson, Jenny Hannaby, Monica Lovatt, Julie Mayhew-Archer, Briony Newport, Jerry Patterson, Margaret Turner, Pam Westwood and John Woodford.

SUBSTITUTE MEMBERS: Councillor Peter Saunders for Councillor Matthew Barber and Councillor Eddy Goldsmith for Councillor Terry Cox.

NON-MEMBER: Councillor Yvonne Constance.

OFFICERS: M Gilbert, R Hood, L Hudson, G Leconte, C Nicholl and D Quayle.

NUMBER OF MEMBERS OF THE PUBLIC: 41

DC.20 NOTIFICATION OF SUBSTITUTES AND APOLOGIES FOR ABSENCE

The attendance of Substitute Members who had been authorised to attend in accordance with the provisions of Standing Order 17(1) was recorded, as referred to above, with apologies for absence having been received from Councillors Matthew Barber and Terry Cox.

DC.21 MINUTES

The Minutes of the meeting of the Committee held on 23 May 2005 were adopted and signed as a correct record.

DC.22 DECLARATIONS OF INTEREST

Members declared interests in report 13/05 – Deposited Plans as follows: -

<u>Councillor</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref</u>
Eddy Goldsmith	Personal	1 – WAN/271/9	Town Councillor	DC.28(1)
Jenny Hannaby	Personal	1 – WAN/271/9	Trustee of the Wantage Health Centre	DC.28(1)
Peter Saunders	Personal and Prejudicial	3 – UFF/1082/8	Acquainted with the applicant	DC.28(3)
Eddy Goldsmith	Personal	5 – WAN/11215/6	Town Councillor	DC.28(5)
Eddy Goldsmith	Personal	6 – WAN/12562/20	Town Councillor	DC.28(6)
Eddy Goldsmith	Personal	9 – WAN/19036	Town Councillor	DC.28(9)
Pam Westwood	Personal and Prejudicial	9 – WAN/19036	Acquainted with the applicant	DC.28(9)

DC.23 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair reminded Councillors and members of the public that all mobile telephones should be switched off during the meeting.

DC.24 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33

It was noted that 12 members of the public had each given notice that they wished to make a statement at the meeting.

DC.25 MATERIALS

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

Mixed Use Redevelopment – Thames View, Abingdon (ABG/319/19-D)

RESOLVED

(a) *that the use of the following materials be approved:-*

*Chartham Multi Stock Bricks
Winchester Multi Stock Bricks
Ridgeway Multi Stock Bricks
Bradstone Weathered Cotswold Artificial Stone*

(b) *that the following materials be refused:-*

Warnham Red Stock Bricks

(c) *that it be agreed that roof materials and details around the windows need to be considered further with tiles, slates and detailed bricks and stone to be reported back to Committee;*

(d) *that the applicant be requested to retain existing material panels on site so that new materials submitted can be considered against them.*

DC.26 APPEALS

The Committee received and considered an agenda item which advised of two appeals which had been lodged with the Planning Inspectorate for determination and one appeal which had been dismissed.

One Member referred to the appeal decision in respect of the Council's decision to refuse to permit the conversion of an agricultural building into holiday letting accommodation units at Andersey Farm, Grove Park Drive, Lockinge. He specifically referred to the decision in respect of costs which he commented was reasonable in this case.

RESOLVED

that the agenda report be received.

DC.27 LIST OF FORTHCOMING PUBLIC INQUIRIES AND HEARINGS

The Committee received and considered an agenda report, which advised of forthcoming Public Inquiries and Hearings.

RESOLVED

that the agenda report be received.

DC.28 DEPOSITED PLANS

The Committee received and considered report 13/05 of the Assistant Director (Planning) 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.

- (1) WAN/271/9 – Demolition of Existing Building. Erection of a 50 room elderly person's home - Wantage Health Centre, Garston Lane, Wantage

(Councillor Eddy Goldsmith had declared a personal interest in this item and in accordance with Standing Order 34 he remained in the meeting during its consideration).

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

Further to the report, the Committee was advised that one of the local Members supported the application. Furthermore, the Committee noted that the County Engineer had no objections, subject to appropriate highway conditions. Furthermore, it was noted that the County Council was seeking a financial contribution of £1,985 towards a mobile library facility. Finally, the Committee was advised that should it be minded to approve the application, an additional condition should be added to address details of external lighting.

Members spoke in support of the application but expressed concern regarding materials, commenting that a red brick and slate with contrasting brick quoins would be appropriate.

Particular reference was made to the comments of the Crime Prevention Design Adviser for Oxfordshire and it was suggested that conditions to address the comments raised should be included, specifically to address the need for an additional window in the north elevation to improve surveillance.

One Member referred to parking, expressing concern that this would be inadequate in view of the numbers of staff that would be required for this facility and he questioned whether a travel plan should be included. However, the Officers advised that to require a travel plan in this case was not considered reasonable given the location of the application site. It was noted that travel plans usually related to less accessible locations.

By 15 votes to nil, with two of the voting Members not being present during consideration of this item, it was

RESOLVED

- (a) *that the Chief Executive, in consultation with the Chair and/or Vice-Chair of the Development Control Committee, be delegated authority to approve application WAN/271/9, subject to the following:-*
- (i) *A financial contribution of £1,985 to the County Council towards a mobile library facility.*
 - (ii) *Conditions, including conditions relating to material samples, drainage, landscaping, access, external lighting and boundary treatment; appropriate highway conditions; and conditions to address the concerns of the Crime Prevention Design Adviser for Oxfordshire and to secure the provision of cycle racks, waste collection facilities and bin storage.*
- (b) *that the applicant be advised that red brick and slate with contrasting brick quoins are preferred and that a panel of materials should be erected on site with materials being reported back to Committee for approval.*
- (2) SUT/900/1 – Demolition of finishing shop. Erection of two new buildings - Pipaway Engineering Ltd, Milton Road, Drayton

The Committee was advised that should it be minded to approve the application, an additional condition should be imposed to provide for the strengthening of the landscape or replacement trees/boundary treatment along the frontage of the site.

Mr B Soper made a statement objecting to the application, raising concerns relating to matters already covered in the report. Speaking on behalf of residents of Drayton Road, he specifically raised concerns regarding noise, drainage, lack of concern for neighbouring residents, the removal of some trees, the infilling of a pond, further external works having an adverse impact on neighbours through noise and disturbance and unneighbourliness.

Some Members spoke in support of the application, noting that a statutory noise nuisance could be dealt with under Environmental Health legislation.

The Officers advised that the tannoy system was used less and less and it was not possible under this application to prevent the use of an existing amplifying system. However, it was considered reasonable to include a condition that no additional amplified or tannoy equipment should be used on the site.

One Member referred to the comments of the objector regarding the applicant operating with doors open, thus creating a noise nuisance. Again, the Committee was advised that this was a matter which could be dealt with under Environmental Health legislation if a statutory noise nuisance existed.

Furthermore, one Member questioned whether there were security lights and it was suggested that an additional condition to control any further external lighting could be included.

By 16 votes to nil, with 1 abstention, it was

RESOLVED

that application SUT/900/1 be approved, subject to:-

- (i) the conditions set out in the report with condition 5 being amended to include a requirement that the doors shall remain closed whilst equipment is being used;*
 - (ii) further conditions to address the need for additional landscaping, the control of any further external lighting and the prevention of any additional amplified or tannoy equipment being used on the site;*
 - (iii) an informative to advise that dark brick and cladding materials would be preferable.*
- (3) UFF/1082/8 and UFF/1082/9-CA – Demolition of existing garage buildings. Erection of 4 x 1 bedroom flats, 2 x 2 bedroom houses, 2 x 3 bedroom houses, 1 x 4 bedroom house, and 2 x 5 bedroom houses together with associated parking and garages - Uffington Garage, Broad Street, Uffington

(Councillor Peter Saunders had declared a personal and prejudicial interest in this item and in accordance with Standing Order 34 he withdrew from the meeting during its consideration).

Further to the report, the Committee was advised that the County Engineer had no objection to the application and the Rights of Way Officer had no objection subject to an appropriate footpath diversion being sought.

Mr P Rosser made a statement objecting to the application and speaking on behalf of the Parochial Church Council raised concerns regarding the adverse effect of the proposal on the environment of the Church and the Vicarage. He suggested that the buildings would be too dominant and overbearing and whilst accepting that the existing use did not enhance the street scene, the current proposal would be worse in view of its closer proximity to the highway. He suggested that the proposal was out of character with other buildings in the area and expressed concern regarding the proposed use of materials. Finally, he expressed concern regarding traffic, parking, access difficulties and pedestrian safety.

Mr O Liddar, the applicant's agent, made a statement in support of the application, commenting that the current proposal was a modification and improvement on the previously approved scheme. He explained that mixed housing was proposed and there had been a significant amount of negotiation with the Officers regarding house types and designs. Finally, he advised that materials had been carefully selected and that the views of the Conservation Officer regarding the use of chalk stone would be taken on board.

The local Member expressed concern at the application, raising concerns regarding height and adverse impact. She specifically raised concern regarding the frontage and proximity of the houses to the highway. She expressed concern regarding dominance, use of materials and pedestrian safety. Other Members expressed support for the application but agreed that closer attention should be paid to materials. Furthermore, some concern was expressed regarding the front elevations

of Units 5, 6, 7 and 8 and it was agreed that negotiations should be entered into with the applicant to seek an amended design.

By 16 votes to nil, with one of the voting Members not being present during consideration of this item, it was

RESOLVED

that the Chief Executive, in consultation with the Chair and/or Vice-Chair of the Development Control Committee and the local Member, be delegated authority to approve application UFF/1082/8, subject to the following:-

- (i) negotiations with the applicant to seek an amended design to the front elevations of Units 5, 6, 7 and 8;*
 - (ii) the completion of Section 106 Agreements relating to the provision of affordable housing and to secure the financial contributions sought by the County Council;*
 - (iii) appropriate conditions, including conditions relating to material samples, drainage, landscaping, access, slab levels and boundary treatments;*
 - (iv) a further condition requiring full details of an archaeological field evaluation;*
 - (v) an informative to advise the applicant that the preferred materials are chalk stone with brick quoins with such materials being brought to Committee for approval.*
- (4) HAT/5327/3 – Erection of detached double garage with office/study over. (Re-submission) - 15 Hatford, Faringdon

By 16 votes to nil, with one of the voting Members not being present during consideration of this item, it was

RESOLVED

that application HAT/5327/3 be approved, subject to the conditions set out in the report.

- (5) WAN/11215/6 – Demolition of Old Slaughter House. Erection of a single dwelling - The Old Slaughter House, Manor Road, Wantage

(Councillor Eddy Goldsmith had declared a personal interest in this item and in accordance with Standing Order 34 he remained in the meeting during its consideration).

A model of the proposal was available for inspection at the meeting.

The Committee was advised that some of the fencing on the boundary of the site might need to be removed to enable the required visibility splay.

Mr C Ashby made a statement objecting to the application, raising concerns relating to matters already covered in the report. He specifically raised concerns regarding the proposal being contrary to Policies G7, G9, C1 and C2 of the Local Plan; the proposal being contrary to PPG3 and PPS7; no reference in the Officer's report to

the dismissed appeal at this site; the application site being in an Area of Outstanding Natural Beauty; the setting of a precedent and the site being outside the development boundary. He suggested that should the Committee be minded to approve the application, a precedent would be set and that the fence along the road frontage should be removed.

Mr C Jones also made a statement objecting to the application, expressing concern that the Council was not taking enforcement action against the owner of the site in respect of a caravan being sited and inhabited on the site.

Further to the report, the Committee was advised that one of the local Members had raised objection to the application in terms of its adverse impact on the Area of Outstanding Natural Beauty.

One Member noted that the application site was a brownfield site and as such was suitable for development. Other Members also spoke in support of the application, commenting that the site was a brownfield site and that the current proposal was of a good high quality design, and should be approved subject to conditions including boundary treatment. Furthermore, it was noted that it would be unreasonable of the Council to consider enforcement action regarding the siting and occupation of a caravan when an application on the site was currently being considered.

By 17 votes to nil it was

RESOLVED

that application WAN/11215/6 be approved subject to the following:-

- (i) the conditions set out in the report, with condition 5 being amended to require the removal of permitted development rights;*
 - (ii) a condition requiring the replacement of the boundary fence or appropriate landscaping to provide a soft frontage to the site;*
 - (iii) an informative to advise the applicant that the proposal was considered acceptable in view of its high quality design being similar to an agricultural building appropriate for this rural location. Any subsequent application for a suburban dwelling would not be favourably received.*
- (6) WAN/12562/20 – Erection of 9 x 1 bed units (Block A) with associated parking and works (Amended scheme) - Limborough Road Development Site, Limborough Road, Wantage

(Councillor Eddy Goldsmith had declared a personal interest in this item and in accordance with Standing Order 34 he remained in the meeting during its consideration).

Further to the report, the Committee was advised that the Environment Agency had verbally indicated that it had withdrawn its objection to the application on the grounds that a flood risk assessment had not been undertaken, it being noted that the proposed scheme was situated in exactly the same location as the permitted scheme and the original permission could be implemented. The Committee was advised that should it be minded to approve the application, an additional condition should be added to require that all building materials should be stored at least ten metres away from the brook.

Furthermore, the Committee was advised that Wantage Town Council had requested that the Committee defer consideration of the application pending the Town Council having an opportunity to consider the proposal at a meeting of the Town Council on 27 June. However, this was not recommended as the application would fall outside its determination deadline on 23 June and it was considered that the Town Council had had sufficient opportunity to consider and comment on the application.

Further to the report, the Committee was advised that an additional letter had been received from a neighbour, raising concerns that the parking provision for the whole of the development was inadequate, and expressing concerns regarding access for emergency vehicles.

One Member also raised concern at the application, particularly with regard to its impact on the Letcombe Brook and it was questioned why the Letcombe Brook Project Officer had not been consulted on the proposals.

Another Member referred to the extant planning permission, expressing support for the application but emphasised the need to have regard for the protection of the brook. In this context she suggested that any application which might impact on the Letcombe Brook should be referred to the Letcombe Brook Project Officer for comment.

Other Members spoke in support of the application.

By 15 votes to nil, with 2 abstentions, it was

RESOLVED

that the Chief Executive be delegated authority to approve application WAN/12562/20 subject to:-

- (i) written confirmation from the Environment Agency that it has no objection to the application;*
 - (ii) the conditions set out in the report and any reasonable conditions required by the Environment Agency;*
 - (iii) a further condition to require that materials should be stored at least ten metres away from the Letcombe Brook.*
- (7) SHR/13244/4 – Erection of detached garage with first floor residential accommodation above - Viewlands, Stainswick Lane, Shrivenham

Mr C Gay, the applicant, made a statement in support of the application. He commented that the footprint was no bigger than that of the approved permission although the building was slightly higher. He indicated that he had no intention to dispose of the accommodation as a separate dwelling and he advised that he would be willing to enter into a Section 106 Obligation, tying the garage to the main dwelling.

One of the local Members indicated that there was not a significant difference between the proposal and the approved plans, commenting that a number of garages had granny flats above them. Other Members spoke against the application, commenting that the proposal appeared as a separate unit of living

accommodation and that it would be difficult to prevent it being sold off as a separate unit in the future, it being noted that Section 106 Obligations were limited and could be challenged later.

The Committee considered that the proposal was too large and excessive for garage accommodation which could too easily be converted into a separate unit of accommodation.

By 15 votes to 2 it was

RESOLVED

that application SHR/13244/4 be refused for the reason set out in the report.

- (8) EHA/16153/5 – Erection of single storey pair of garages, detached garden room and widen access. Removal of nine conifers. (Resubmission) - Nethercot, The Green, East Hanney

Mrs S Wilkinson made a statement on behalf of the Parish Council objecting to the application, raising concerns relating to matters already covered in the report. She referred to the number of dismissed appeals on this site and expressed concern that there was an intention that the proposed garages would become a separate dwelling. She questioned the need to widen the access and raised concerns regarding the garden room facing north. Furthermore, she referred to the proximity of the proposal to the neighbouring boundary and expressed concern that the proposal would set a precedent. Finally, she advised that the proposal would neither preserve nor enhance the Conservation Area or village amenities.

Mrs V Grant made a statement objecting to the application, also raising concerns to matters already covered in the report. Speaking on behalf of a neighbour, she raised concern regarding the proposal in terms of its proximity to the neighbouring boundary and the need for the neighbour to maintain the boundary wall, increased traffic, the creation of a precedent, the proposal not preserving or enhancing the village, adverse impact on the Letcombe Brook and the intention that a separate dwelling would be created.

Mr Hodson, the applicant, made a statement in support of the application, advising that the proposal was for a garage not a house, and that there was no intention to create a separate dwelling.

In response to the concerns raised regarding the proximity of the garage to the neighbouring boundary, it was commented that this was a private matter between the applicant and the neighbour.

By 16 votes to nil, with 1 abstention, it was

RESOLVED

that application EHA/16153/5 be approved, subject to the conditions set out in the report.

- (9) WAN/19036 – Single storey extension and conversion to two flats with access and parking - 21 Harcourt Green, Wantage

(Councillor Eddy Goldsmith had declared a personal interest in this item and in accordance with Standing Order 34 he remained in the meeting during its consideration).

(Councillor Pam Westwood 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).

Further to the report, the Committee was advised of one additional letter, raising objection to the application in respect of increased parking and the setting of a precedent.

Mr Mackie made a statement objecting to the application, raising concerns relating to matters already covered in the report. He specifically raised concerns regarding the proposal being unsuitable for the purpose; parking; adverse impact in terms of noise and disturbance and the proposal being contrary to Planning Policy. He commented that the proposed kitchen would be sited next to his main bedroom which in terms of good design and practice was unacceptable. He referred to existing noise problems and expressed concern regarding the use of domestic appliances next to his bedroom which would cause further disturbance. He commented on the steel structure of the building, suggesting that it was unsuitable for conversion to flats. Finally, he raised concern regarding increase parking and emphasised that the proposal would have a detrimental affect on his amenities and would result in his inability to enjoy his own property.

Mr R Cooper, the applicant, made a statement in support of the application, advising that he had sought independent advice regarding what was appropriate. He referred to Policies H4 and H11 which applied in this case and explained that the specific criteria had been satisfied in all accounts. Finally, he advised that the proposal was sustainable in planning terms and that he had no objection to the conditions proposed.

One of the local Members expressed support for the application. However, another Member expressed concern regarding parking. She suggested that the balcony was out of keeping and commented that in view of their steel framed structure, it was likely that there would be a noise nuisance. To this end the Committee considered that it needed further information regarding noise.

Reference was made to the ownership of the grassed verge although it was noted that its ownership was not a material planning consideration.

Other Members supported the view that the proposed balcony was inappropriate and by 13 votes to nil, with 3 abstentions, it was considered that its removal should be sought.

By 15 votes to nil, with 1 abstention, with one of the voting Members not being present during consideration of this item, it was

RESOLVED

that application WAN/19036 be deferred for the following:-

- (i) *a report on the ownership of the grassed verge and confirmation as to whether notice had been served for its access;*
 - (ii) *a report on building regulations and whether sufficient noise insulation could be achieved having regard to the steel framed nature of the building;*
 - (iii) *negotiations with the applicant to seek an amendment to provide for the removal of the balcony, it being considered that the balcony was unsightly and would have an adverse impact on public amenity.*
- (10) GRO/19068 – Erection of single and two storey extension - 13 Blenheim Gardens, Grove, Wantage

Mrs J Stock made a statement on behalf of the Parish Council, raising objection to the application, referring to matters already covered in the report. She specifically raised concern regarding over development, lack of parking, the removal of the garage and a change in character of the area.

One of the local Members also expressed concern at the application, raising concerns regarding the impact on the neighbouring property. Other Members spoke in support of the application but considered that the area of hardstanding should be increased to secure adequate parking.

By 13 votes to 3, with 1 abstention, it was

RESOLVED

that application GRO/19068 be approved, subject to the conditions set out in the report, with a further condition to require provision of the parking area shown on the drawing.

DC.29 SCHEME OF DELEGATION

The Committee received and considered report 14/05 of the Assistant Director (Planning) which advised that the current Scheme of Delegation enabled the Chief Executive to decide most matters under the Town and Country Planning legislation. Such delegation enabled the Development Control Committee to focus on the more significant or controversial issues. The report explained the need to update and extend the Scheme of Delegation. Whilst it was proposed that the two existing levels of delegation from Committee were to be retained, ie Officer and Officer in consultation with the Chair and/or Vice-Chair, it was recommended that the scope of applications to be determined at both of these levels should be increased.

The Committee considered the proposed Scheme of Delegation in detail and agreed a number of minor amendments which had been incorporated into a revised version attached as an Appendix to these Minutes. One specific issue which was discussed was whether or not a Ward Member might request by telephone that an application be referred for determination. The Committee considered that such requests should be made in writing or by email to ensure an appropriate audit trail, it being noted that there was plenty of time for a Member to contact the offices.

By 15 votes to nil, with one abstention, with one of the voting Members not being present during consideration of this item, it was

R E C O M M E N D E D

- (a) that the revised Scheme of Delegation, as now amended and attached as an Appendix to these Minutes, be approved for the purposes of determining all matters under the Town and Country Planning legislation and as far as high hedges are concerned, under the provisions of Part 8 of the Anti-Social Behaviour Act 2003, with the Scrutiny Committee being advised of the recommended changes;*
- (b) that publicity to the revised Scheme of Delegation be given with Parish/Town Councils Clerks and/or Chairs being advised accordingly.*

SECTION II (Exempt Information under Section 100A(4) of the Local Government Act 1972).

None.

The meeting rose at 10.18pm.