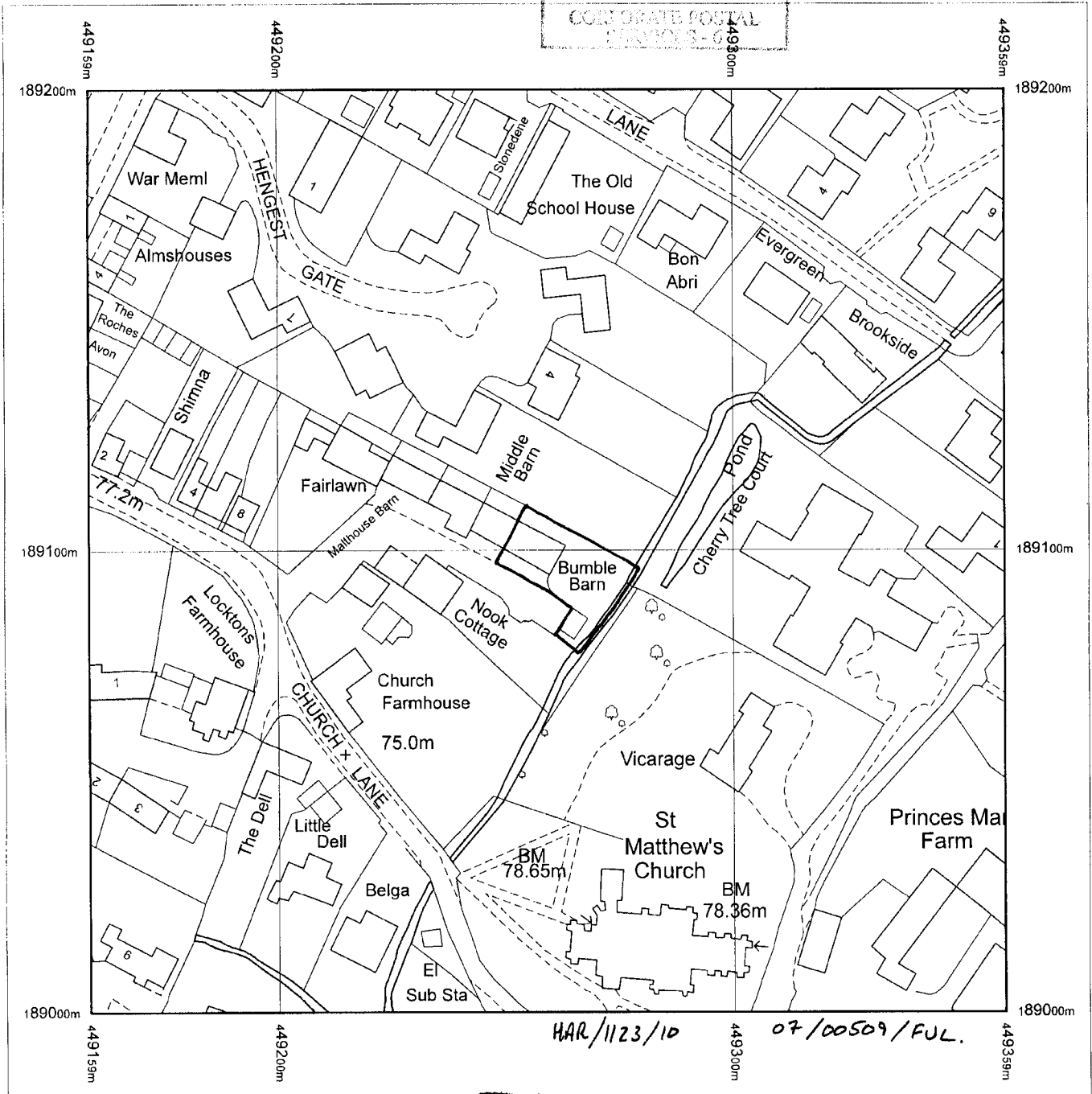




REC'D 30 AUG 2007

CORPORATE POSTAL SERVICES - 01235



Produced 05.03.2007 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. © Crown Copyright 2007.

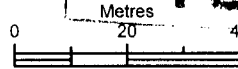
Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey.

Ordnance Survey and the OS Symbol are registered trademarks and OS Sitemap is a trademark of Ordnance Survey, the national mapping agency of Great Britain.

The representation of a road, track or path is no evidence of a right of way.

The representation of features as lines is no evidence of a property boundary.

AMENDED PLAN



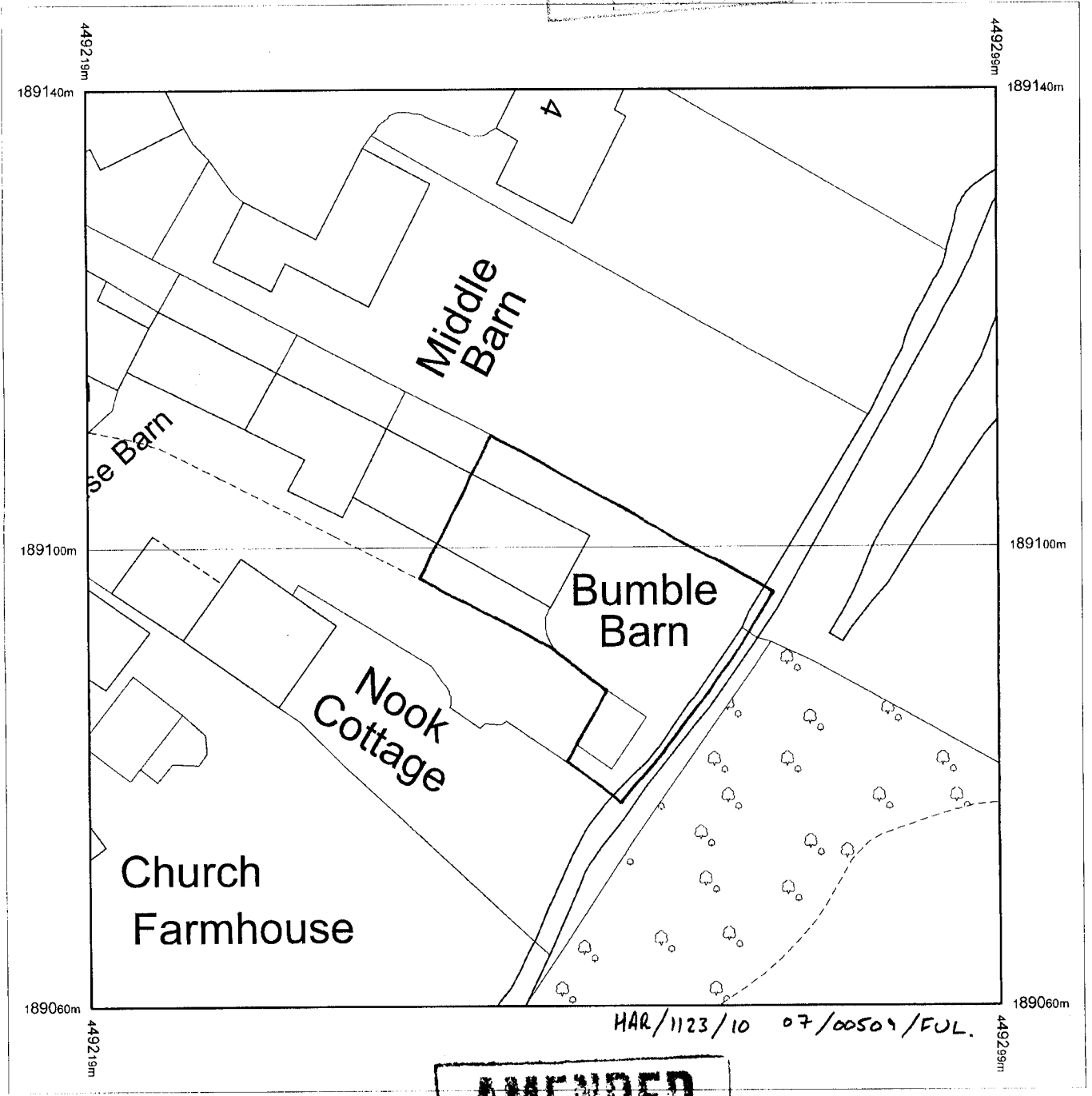
Scale 1:1250

Supplied by: **Outlet User**
Serial number: 00120600
Centre coordinates: 449259 189100

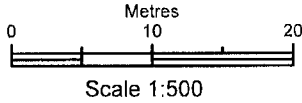
Further information can be found on the OS Sitemap Information leaflet or the Ordnance Survey web site: www.ordnancesurvey.co.uk

Bumble Barn
<i>Site Plan A.</i>
Church Lane
Harwell
Oxon, OX11 0EZ

VALE OF WHITE HORSE
DISTRICT COUNCIL
REC'D 30 AUG 2007
CORPORATE POSTAL



**AMENDED
PLAN**



Produced 05.03.2007 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. © Crown Copyright 2007.

Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey.

Ordnance Survey and the OS Symbol are registered trademarks and OS Sitemap is a trademark of Ordnance Survey, the national mapping agency of Great Britain.

The representation of a road, track or path is no evidence of a right of way.

The representation of features as lines is no evidence of a property boundary.

Supplied by: **Outlet User**
Serial number: 00120700
Centre coordinates: 449259 189100

Further information can be found on the OS Sitemap Information leaflet or the Ordnance Survey web site:
www.ordnancesurvey.co.uk

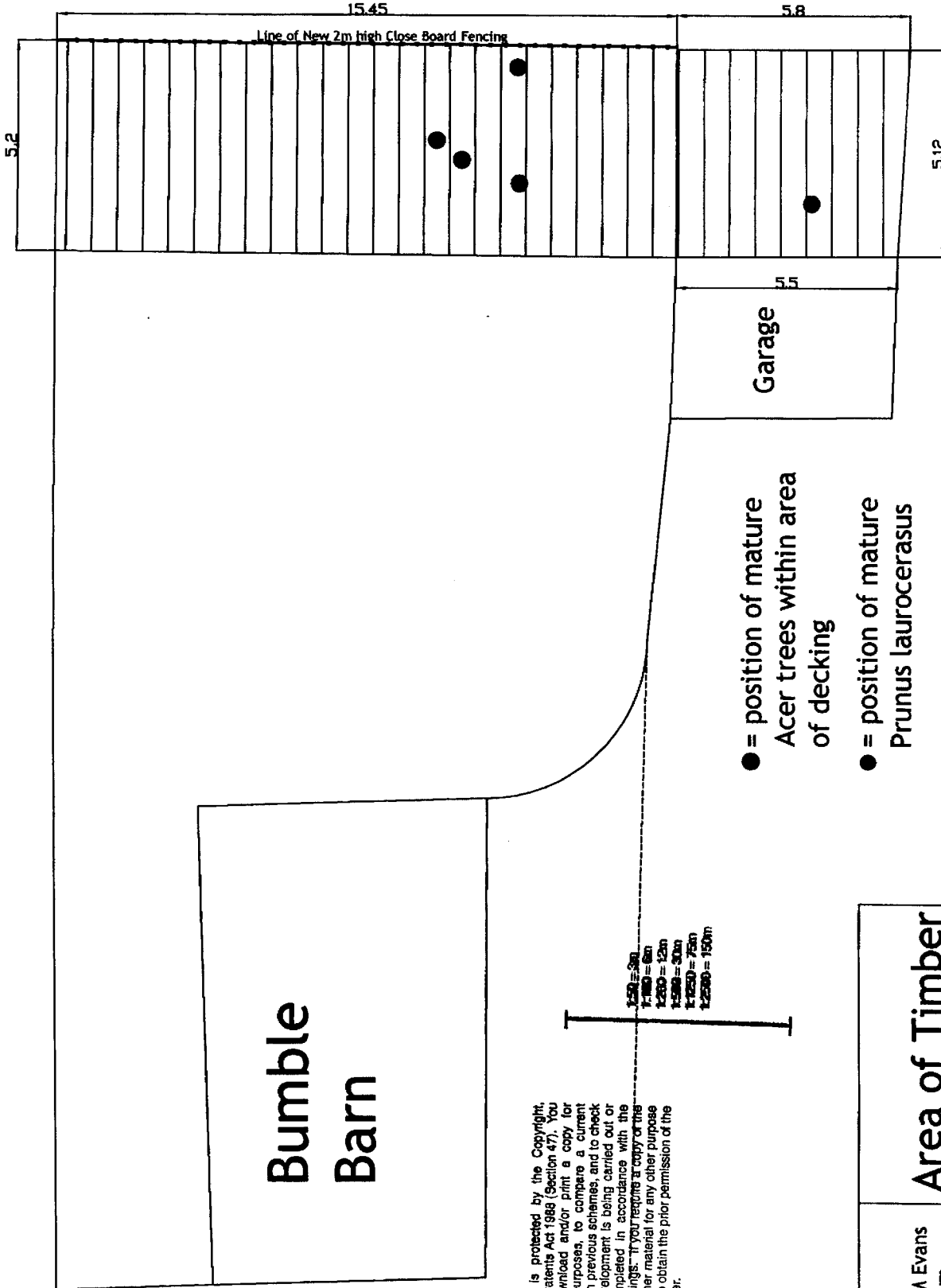
Bumble Barn
<i>Block Plan A.</i>
Church Lane
Harwell
Oxon, OX11 0EZ

VALLEY DISTRICT COUNCIL
 RECD: 5 0 10 11 17
 CORPORATE POST
 BUILDINGS 3

(A3)

Area of Existing
 Decking = 80.34
 sq.m.

Area of
 Partially
 completed
 Decking =
 29.00 sq.m.



- = position of mature
Acer trees within area
of decking
- = position of mature
Prunus laurocerasus

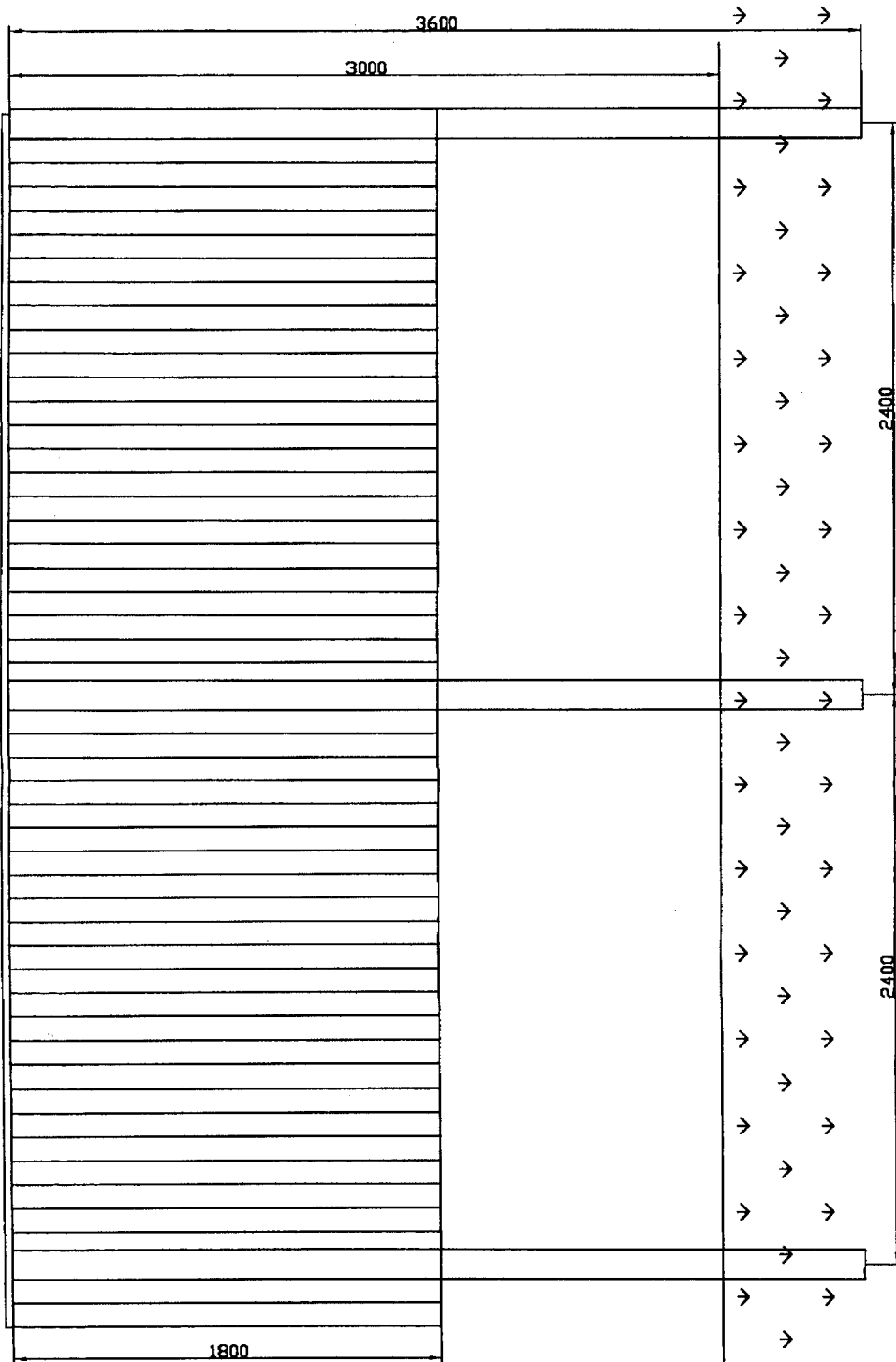
HAR/1123/10
 07/00509/RUL

This drawing is protected by the Copyright, Designs and Patents Act 1988 (Section 47). You may only download and/or print a copy for consultation purposes, to compare a current application with previous schemes, and to check whether a development is being carried out or has been completed in accordance with the approved drawings. If you require a copy of the drawings or other material for any other purpose you will need to obtain the prior permission of the copyright owner.

1:500 = 2m
 1:1000 = 6m
 1:2500 = 12m
 1:5000 = 30m
 1:12500 = 75m
 1:25000 = 150m

<p>Mr & Mrs M Evans Bumble Barn Church Lane Harwell Oxfordshire OX11 0EZ</p>	<p>Area of Timber Decking Drawing Number 070305/2 Scale 1:100 on A3</p>
---	---

□ Post Top
Detail
125mm x 125mm



HAR/1123110
07/00809/FUL

(A3)

RECD 3 0 10 11 11
CORPORATE POSTAL SERVICES 3

Level of Decking at
Bumble Barn

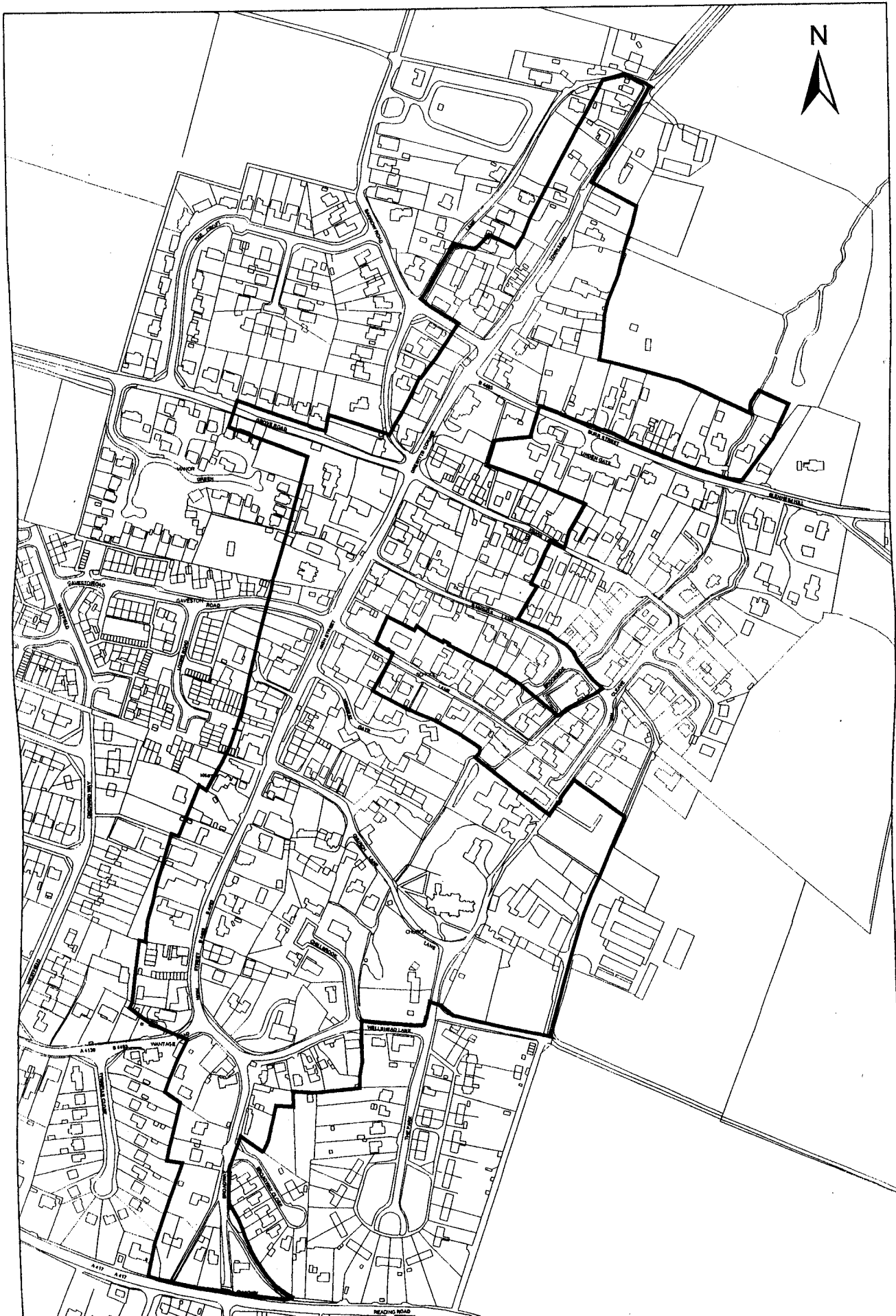
Level of soil bank on
neighbouring property

1:50 = 9m
1:100 = 6m
1:200 = 12m
1:500 = 30m
1:1250 = 75m
1:2500 = 150m

This drawing is protected by the Copyright, Designs and Patents Act 1988 (Section 47). You may only download and/or print a copy for application purposes, to compare a current application with previous schemes, and to check whether a development is being carried out or approved drawings. If you require a copy of the drawings or other material for any other purpose you will need to obtain the prior permission of the copyright owner.

Mr & Mrs M Evans Bumble Barn Church Lane Harwell Oxfordshire OX11 0EZ	Timber Close Board fencing Drawing Number 070305/1 Scale 1:20 on A3
--	---

Harwell Conservation Area



None.

~~DC.207~~

~~APPEALS~~

~~The Committee received and considered an agenda
appeals which had been allowed by the Planning
which had been dismissed and two which had been~~

APPENDIX 3

~~RESOLVED~~

~~that the agenda report be received.~~

~~DC.208~~

~~FORTHCOMING PUBLIC INQUIRIES AND HEARINGS~~

~~The Committee received and considered a report setting out a list of
forthcoming public inquiries and hearings.~~

~~RESOLVED~~

~~that the report be received.~~

DC.209

HAR/1123/10 - RETROSPECTIVE APPLICATION FOR THE CONSTRUCTION
OF TIMBER DECKING ACROSS STREAM AND ERECTION OF CLOSE
BOARD FENCING. BUMBLE BARN, CHURCH LANE, HARWELL

Mr Morris had been due to make a statement at the meeting objecting to the application but he declined to do so.

The Committee noted the objection received from Harwell Parish Council as set out in the report.

The comments from the Environment Agency were highlighted and it was noted that it had no jurisdiction over this water course and therefore had no grounds to object to the proposal. This view had been confirmed with the Environment Agency. It was reported that the Environment Agency had no knowledge of flooding in this area and this Council's own report had stated that there were no reports of flooding here and no historical data regarding flooding in the past. It was confirmed that the site was within the Conservation Area but that there were no public views of the area. It was explained that in view of this the Officers considered that the scheme was acceptable.

One of the local Members referred to the concerns raised by the Parish Council. She commented that whilst noting that there appeared to be no adverse impact on the Conservation Area, she was concerned regarding the visual impact of the proposal on the residents of the sheltered housing in Cherry Tree Court. Furthermore, whilst noting the information regarding flooding reports, she expressed concern regarding the accessibility and maintenance of the watercourse.

The other local Members raised similar concerns and furthermore commented on the adverse impact should adjoining properties along the watercourse undertake similar schemes. He referred to a pond near this property advising that a continuation of the decking could create further problems. He reported that a drainage pipe went over the stream and the applicants had wished to cover it up as it was unsightly.

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

- The decking was quite large and unsightly when viewed from Cherry Tree Court.
- There proposal adversely impacted on those resident in terms of visual harm.
- If this application was approved it would be difficult for the Council to refuse similar applications along this watercourse which it was considered would cumulatively have a harmful impact.
- The entire water course was covered which it was noted the Environment Agency did not encourage.
- The application should be refused on the basis of the comments of the Environment Agency it being noted that it did not have jurisdiction over the watercourse but the Council did.
- The Council should ensure standards were maintained and agreeing to a proposal which would make maintenance of the watercourse more difficult or impossible should not be supported.
- Agreeing to a proposal which would restrict the ability to maintain the watercourse was unreasonable. Gibson – we should object to this.
- The proposal was likely to increase the probability of the watercourse becoming blocked and that just because records were not available did not mean that flooding had not occurred in this area in the past.

The Officers referred Members to the report explaining that the Drainage Engineer had looked at the proposal and had not made any representations only that the access should be maintained.

Furthermore, the Officers referred to comments made regarding the setting of a precedent and visual impact. It was reported that in terms of precedent, Members were reminded that each application should be considered on its merits and in terms of visual impact, whilst in the Conservation Area, the site was well screened.

In response to concerns regarding the blocking of the watercourse, the Officers explained that the proposal did not include structures in the watercourse. Reference was made to the letter from the Environment Agency and it was noted that an officer from the Agency had visited the site and had not objected as there was a clear span of the water course.

One Member supported the proposal commenting that if there was a means of access to the watercourse for maintenance purposes she could see no reason to refuse the application. The Officers reported that a trap door access within the decking could be sought.

In response to a comment made regarding ownership of the watercourse, it was clarified that ownership was not a material planning consideration but was a civil legal matter between the parties concerned.

One Member referred to the condition set out in the report and by way of a straw poll there being 6 for, 3 against and 5 abstentions it was considered that if the Committee was minded to approve the application, a condition requiring access for clearing purposes to be submitted to and implemented within an agreed time period before planning permission was issued should be agreed.

It was proposed that the Deputy Director (Planning and Community Strategy) in consultation with the Chair and/or Vice-Chair of the Development Control Committee and local Members be delegated authority to approve application HAR/1123/10. On being put, this was lost by 8 votes to 5 with 1 abstention.

It was thereupon proposed by Councillor Jerry Patterson, seconded by Councillor Richard Gibson and by 8 votes to 5 with 1 abstention it was

RESOLVED

that application HAR/1123/10 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 is not encouraged in view of future maintenance requirements of the watercourse and possible flooding implications.

~~DC.210~~

~~ECH/5704/6 - PROPOSED BOUNDARY FENCE 1 REYNOLDS WAY, EAST CHALLOW, OX12 9SB~~

~~Further to the report the Officers highlighted that condition 1 in the report was a time limit. Members were advised that should they be minded to approve the application this condition should be substituted with a condition requiring the fence height to be reduced within 4 months in accordance with the approved drawing.~~

~~One Member spoke in support of the proposal commenting that it was acceptable in this location. However, another Member raised some concern regarding the loss of open space.~~

~~One Member referred to the time taken in considering this matter noting that permission had been refused in April for a 1.2 metre high fence. The Officers responded that the rights of appeal procedures were lengthy and that there had been discussions with the applicant in this case.~~

~~By 13 votes to 1 it was~~

~~RESOLVED~~

APPENDIX 3

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~~