

# Notice of Meeting

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## Western Area Planning Committee Wednesday 2 September 2020 at 6.30pm Update Report

### Members Interests

Note: If you consider you may have an interest in any Planning Application included on this agenda then please seek early advice from the appropriate officers.

### Further information for members of the public

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact the Planning Team on (01635) 519148

Email: [planapps@westberks.gov.uk](mailto:planapps@westberks.gov.uk)

Further information, Planning Applications and Minutes are also available on the Council's website at [www.westberks.gov.uk](http://www.westberks.gov.uk)

Any queries relating to the Committee should be directed to Jenny Legge on (01635) 503043 Email: [jenny.legge@westberks.gov.uk](mailto:jenny.legge@westberks.gov.uk)

Date of despatch of Agenda: Tuesday, 25 August 2020



**Agenda - Western Area Planning Committee to be held on Wednesday, 2 September 2020**  
(continued)

**To:** Councillors Adrian Abbs, Phil Barnett, Dennis Benneyworth, Jeff Cant, Hilary Cole, Carlyne Culver, Clive Hooker (Chairman), Tony Vickers (Vice-Chairman) and Howard Woollaston

**Substitutes:** Councillors Jeff Beck, James Cole, David Marsh, Steve Masters, Andy Moore, Erik Pattenden, Garth Simpson and Martha Vickers

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# Agenda

## Part I

**Page No.**

- (1) **Application No. and Parish: 20/00152/FUL, 1 and 3 Kennet Road, Newbury,** 5 - 8  
**Proposal:** Demolition of existing dwellings and erection of 2x semi-detached dwellings and 1x detached dwelling with associated works.
- Location:** 1 and 3 Kennet Road, Newbury, RG14 5JA.
- Applicant:** Four Acre Investments.
- Recommendation:** To delegate to the Head of Development and Planning to **refuse** planning permission.
- (2) **Application No. and Parish: 20/01186/FUL, 1 and 3 Kennet Road, Newbury** 9 - 10  
**Proposal:** Change of use of 1 and 3 Kennet Road from 2 dwellings to 6 self-contained flats, minor exterior alterations and associated car parking and gardens.
- Location:** 1 and 3 Kennet Road, Newbury, RG14 5JA.
- Applicant:** Four Acres Investments.
- Recommendation:** To delegate to the Head of Development and Planning to **grant** planning permission.

### Background Papers

- (a) The West Berkshire Core Strategy 2006-2026.
- (b) The West Berkshire District Local Plan (Saved Policies September 2007), the Replacement Minerals Local Plan for Berkshire, the Waste Local Plan for Berkshire and relevant Supplementary Planning Guidance and Documents.
- (c) Any previous planning applications for the site, together with correspondence and



**West Berkshire**  
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report(s) on those applications.

- (d) The case file for the current application comprising plans, application forms, correspondence and case officer's notes.
- (e) The Human Rights Act.

Sarah Clarke  
Service Director (Strategy and Governance)

If you require this information in a different format or translation, please contact  
Moira Fraser on telephone (01635) 519045.



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**WESTERN AREA PLANNING COMMITTEE  
DATED 02.09.2020**

**UPDATE REPORT**

This report sets out the running order for tonight's Committee meeting. It indicates the order in which the applications will be heard, the officer presenting and anyone who has made written submissions either in favour or against the application.

Any additional information that has been received since the main agenda was printed will be contained in this report. It may for instance make reference to further letters of support or objection. This report must therefore be read in conjunction with the main agenda [and the written submissions pack](#).

The report is divided into four main parts:

Part 1 - relates to items not being considered at the meeting,  
Part 2 - any applications that have been deferred for a site visit,  
Part 3 - applications where members of the public have made written submissions,  
Part 4 - applications that have not attracted written submissions.

<b>Part 1</b>	N/A		
<b>Part 2</b>	N/A		
<b>Part 3</b>	Item (1) 20/00152/FUL	1 and 3 Kennet Road, Newbury RG14 5JA	Pages 13-96
	Item (2) 20/01186/FUL	1 and 3 Kennet Road, Newbury RG14 5JA	Pages 97-108
<b>Part 4</b>	N/A		

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**WESTERN PLANNING COMMITTEE**  
**02.09 2020**

**UPDATE REPORT**

**Item No:** (1)                      **Application No:** 20/00152/FUL                      **Page No.** 13-96

**Site:** 1 and 3 Kennet Road, Newbury RG14 5JA

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**Planning Officer Presenting:** Matthew Shepherd

**Member Presenting:** N/A

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**Written submissions**

**Parish Council:** N/A

**Objector(s):** N/A

**Supporter(s):** N/A

**Applicant/Agent:** David Jones of Evans Jones Ltd

**Ward Member(s) speaking:** Councillor Andy Moore  
Councillor Martha Vickers

**1. Adjusted reason for refusal**

Some minor amendments to the wording of the reason for refusal were suggested by officers to make the refusal reason more precise and clear. The substance of the reason is retained as before.

**Not passing the flooding sequential test**

The application site is within Flood Zone 3 and Policy CS16 says that in areas with a history of flooding development will only be accepted if it is demonstrated that it is appropriate in that location, and that there are no suitable and available sites at a lower flood risk. It goes on to say that where development has to be located in flood risk area that it should be safe and will not increase the flood risk elsewhere.

The sequential test was submitted and assessed by officers. The LPA has reviewed the submitted sequential test and finds that the development does not pass it. The sequential test search area is limited to just the Urban areas of the district, the LPA is of the opinion that the search area should district wide. The Sequential test submitted

**is therefore inadequate in scope to fully assess sites that might be sequentially more favourable to build upon in terms of flooding.**

**The assessment of the sequential test misses sites that are actively being marketed (at the time of writing the document) to which meet the criteria set out in the submitted sequential test and are considered reasonably available by the Local Planning Authority.**

**The submitted sequential test discounts sites that the Local Planning Authority considered to be reasonably available. The submitted sequential test discounts sites due to them falling with Flood Zone 2 or a critical drainage area to which are areas of lesser flood risk and therefore sequentially preferably to develop prior to this site. The development is therefore not considered to pass the sequential test and therefore does not accord with CS16 of the West Berkshire Core Strategy (2006-2026) and paragraphs 157 to 161 of the National Planning Policy Framework 2019.**



## WESTERN PLANNING COMMITTEE 02.09 2020

### UPDATE REPORT

**Item No:** (2)      **Application No:** 20/01186/FUL      **Page No.** 97-108

**Site:** 1 and 3 Kennet Road, Newbury RG14 5JA

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**Planning Officer Presenting:** Sian Cutts

**Member Presenting:** N/A

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#### Written submissions

**Parish Council:** N/A

**Objector(s):** N/A

**Supporter(s):** N/A

**Applicant/Agent:** David Jones of Evans Jones Ltd

**Ward Member(s) speaking:** Councillor Andy Moore  
Councillor Martha Vickers

#### 1. Additional Consultation Responses

<b>Public representations:</b>	

#### 2. Clarification and corrections to the report

2.1 Paragraph 6.2 of the Officer's report refers to the site not being previously developed land. The buildings which constitute 1 and 3 Kennet Road are defined as previously developed land, and the garden land which forms the curtilage of those dwellings is excluded from the NPPF definition of previously developed land.

2.2 Paragraph 6.8 of the Officer's report incorrectly identifies the flood zones. The site is within flood zone 3.

### 3. Updated Recommendation

The recommendation remains as set out in the agenda committee report, subject to the following additional conditions. The pre-commencement conditions contained within the recommended conditions have been agreed by the agent on behalf of the applicant.

10.	<p><b>Boundary Treatment</b></p> <p>No dwelling shall be occupied until details, to include a plan, indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before the dwellings hereby permitted are occupied. The approved boundary treatments shall thereafter be retained.</p> <p>Reason: The boundary treatment is an essential element in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006) and the Newbury Town Design Statement.</p>
11.	<p><b>Hours of working</b></p> <p>No demolition or construction works shall take place outside the following hours:</p> <p>7:30am to 6:00pm Mondays to Fridays; 8:30am to 1:00pm Saturdays; nor at any time on Sundays or Bank Holidays.</p> <p>Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
12.	<p><b>Sound proofing</b></p> <p>No dwelling shall be occupied until a scheme for protection the proposed dwellings from internally generated noise have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the noise mitigation measures identified in the approved scheme, have been fully implemented. The noise mitigation measures shall be retained and maintained thereafter.</p> <p>Reason: To protect future residents from internal noise caused by the proposal. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>