

Update Reports for Western Area Planning Committee

Wednesday, 29th June, 2022 at 6.30 pm
in Council Chamber Council Offices
Market Street Newbury

Part I

Page No.

4. Schedule of Planning Applications

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(Note: The Chairman, with the consent of the Committee, reserves the right to alter the order of business on this agenda based on public interest and participation in individual applications).

(1) **Application No. and Parish: 22/00648/FULD, 61 Russell Road, Newbury RG14 5JX**

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Proposal: Demolition of existing dwelling and erection of four dwellings.

Location: 61 Russell Road, Newbury, RG14 5JX.

Applicant: Bartlett Property Development

Recommendation: To delegate to the Service Director – Development and Regulation to REFUSE PLANNING PERMISSION.

(2) **Application No. and Parish: 21/03024/FULTEXT, Former Newbury Magistrates Court and No. 20, Mill Lane, Newbury, RG14 5QU**

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Supplemental Items

Western Area Planning Committee to be held on Wednesday, 29 June 2022 *(continued)*

Proposal:	Erection of 28 no. 1 and 2 bedroom apartments, together with car parking, an ecological enhancement zone, landscaping and associated works
Location:	Former Newbury Magistrates Court and No. 20, Mill Lane, Newbury, West Berkshire RG14 5QU
Applicant:	Palady Homes and Homes and Communities Agency (Trading As Homes England)
Recommendation:	Delegate to the Service Director – Development and Regulation to Approve planning permission subject to conditions and planning obligation section 106 or to refuse planning permission if the Section 106 legal agreement is not completed.

Sarah Clarke

Service Director (Strategy & Governance)

For further information about this/these item(s), or to inspect any background documents referred to in Part I reports, please contact Democratic Services Team on

e-mail: executivecycle@westberks.gov.uk

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West Berkshire
C O U N C I L

WESTERN AREA PLANNING COMMITTEE
DATED 29th June 2022

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 registered to speak either in favour or against the application.

Those people attending to take part in the pre-arranged Public Speaking sections are reminded that speakers in each representation category are grouped and each group will have a maximum of 5 minutes to present its case.

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 amended plans and further letters of support or objection. This report must therefore be read in conjunction with the main agenda.

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 wish to speak,
Part 4 - applications that have not attracted public speaking.

Part 1 N/A

Part 2 N/A

Part 3 Item (1) 22/00648/FULD, 61 Russell Road, Newbury Pages 31-41
 Item (2) 21/03024/FULEXT Former Newbury Magistrates Court & 20 Mill Lane, Newbury Pages 43-75

Part 4 N/A

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WESTERN AREA PLANNING COMMITTEE ON 08/06/2022

UPDATE REPORT

Item No: (1) **Application No:** 22/00648/FULD **Page No.** 31-41

Site: 61 Russell Road, Newbury, RG14 5JX

Planning Presenting: **Officer** Cheyanne Kirby

Member Presenting:

Parish speaking: **Representative** Nigel Foot - Newbury Town Council – In Person

Objector(s) speaking: Ms Linda Philo

Supporter(s) speaking: Sukey Russell-Hayward - Zoom

Beth Graham - Zoom

Applicant/Agent speaking: Stuart Bartlett - Bartlett Property Development – In person

Ward Member(s): Cllr Andy Moore
Cllr Martha Vickers

Update Information:

No update.

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WESTERN AREA PLANNING COMMITTEE 29th JUNE 2022

UPDATE REPORT

Item No: (2) **Application No:** 21/03024/FULEXT **Page No.** 43 - 75

Site: Former Newbury Magistrates Court and No. 20, Mill Lane, Newbury

Planning Officer Presenting: Mr Matthew Shepherd

Member Presenting: N/A

Parish Representative speaking: Councillor Nigel Foot

Objector(s) speaking: Annie Speller Attending in person
Mark Wiltshire Via Zoom

Supporter(s) speaking:

Applicant/Agent speaking: Kerry Pflieger Attending in person

Ward Member(s): Councillor Phil Barnett
Councillor Billy Drummond
Councillor Erik Pattenden

1. Additional Comments

The agent confirms that the concrete barrier to the north of the site will be retained. The Agent confirms that due to the sites proximity within 8 m of a river ban it will be necessary to secure various permits from the Environments Agency (including any temporary works).

2. Updated Recommendation

The recommendation remains as set out in the agenda committee report, subject to the following additional/amended conditions. These changes have come about through negotiations with the planning agent in regards to 'triggers' for the conditions.

3	Schedule of materials No development above slab level shall take place until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. Samples of materials shall be made available upon request. Thereafter the development shall be carried out in accordance with the approved details.
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	Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).
11.	<p>Refuse Storage</p> <p>The development shall not be occupied until a storage area for refuse and recycling receptacles (and collection areas if necessary) has been provided for that dwelling in accordance with submitted plans Proposed Bin Store Plan and Elevations. Drawing number 2145/PL/12 Rev D.</p> <p>Reason: To ensure that there is adequate refuse and recycling storage facilities within the site, to ensure safe and adequate collection in the interests of highway safety and local amenity. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and the West Berkshire Quality Design SPD (Part 1, Section 2.13).</p>
13.	<p>Biodiversity measures (prior approval)</p> <p>No development above slab level shall take place until details of biodiversity enhancement measures have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be occupied until the measures related to that development have been installed/constructed in accordance with the approved details or in accordance with an agreed timetable by the LPA.</p> <p>Reason: To ensure biodiversity enhancements are incorporated into the development. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p> <p>A pre commencement condition is needed as the details will need to be agreed possibly implement throughout the construction of the development.</p>
23	<p>Broadband</p> <p>No development above slab level shall take place until a Superfast Broadband Strategy Statement shall have been submitted and approved in writing by the Local Planning Authority. Such a statement shall set out how superfast broadband is to be provided to each phase of the development, including a schedule for connection. Thereafter no phase of the development shall be occupied until superfast broadband infrastructure has been provided in accordance with the approved details.</p> <p>Reason: To ensure that the site is provided with high speed communications infrastructure in the interests of the amenity of the occupants of the site in accordance with the requirements of the NPPF, Policies CS5 and CS14 of the West Berkshire Core Strategy (2006-2026).</p>

Updated refusal reason wording which would be applied in the event that the Section 106 Agreement is not completed within the required timeframe

1. **Planning obligation**

The application fails to provide an appropriate planning obligation with respect to the on-site provision of affordable housing. The district has a high affordable housing need and an affordability ratio above the national average. Without these planning obligations the proposed development conflicts with policies CS6 of the West Berkshire Core Strategy 2006-2026, the Planning Obligations SPD, and the National Planning Policy Framework.