

DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 20 SEPTEMBER 2017

Councillors Present: Howard Bairstow, Jeff Beck, Dennis Benneyworth, Paul Bryant (Vice-Chairman), Jeanette Clifford (Substitute) (In place of Virginia von Celsing), Hilary Cole, Billy Drummond, Adrian Edwards, Paul Hewer, Clive Hooker (Chairman), Anthony Pick and Garth Simpson

Also Present: Michael Butler (Principal Planning Officer), Derek Carnegie (Team Leader - Development Control), Paul Goddard (Team Leader - Highways Development Control), Jo Reeves (Principal Policy Officer) and Shiraz Sheikh (Principal Solicitor)

Apologies for inability to attend the meeting: Councillor Virginia von Celsing

PART I

23. Minutes

The Minutes of the meeting held on 30 August 2017 were approved as a true and correct record and signed by the Chairman.

24. Declarations of Interest

Councillors Dennis Benneyworth and Paul Hewer declared an interest in Agenda Item 4 (1), but reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillors Jeff Beck, Dennis Benneyworth, Jeanette Clifford, Hilary Cole, Billy Drummond, Paul Hewer, Clive Hooker, Anthony Pick and Garth Simpson declared that they had been lobbied on Agenda item 4 (1).

25. Schedule of Planning Applications

(1) **Application No. and Parish: 17/01833/FULEXT - Land at former Oakes Bros site, Station Yard, Hungerford**

(Councillor Dennis Benneyworth declared a personal interest in Agenda Item 4 (1) by virtue of the fact that he was a member of Hungerford Town Council that had previously considered this application but reported that he would consider the application afresh. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(Councillor Paul Hewer declared a personal interest by virtue of the fact that he had previously spoken in favour of development on the site but reported that he would consider this application on its own merits. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(Councillors Jeff Beck, Dennis Benneyworth, Jeanette Clifford, Hilary Cole, Billy Drummond, Paul Hewer, Clive Hooker, Anthony Pick and Garth Simpson declared that they had been lobbied on this item.)

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1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 17/01833/FULEXT in respect of the erection of 30 flats and associated parking, landscaping and amenity space, with coffee shop.
2. Michael Butler introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was unsatisfactory and a conditional approval was not justifiable. Officers strongly recommended the Committee refuse planning permission.
3. The Chairman invited Paul Goddard to explain his objections as the Highways Officer. Paul Goddard explained that the relevant section of the committee report began on page 23 of the agenda. The table of traffic figures had been taken from the transport statement submitted by the applicant and he advised that consideration of these figures should be taken with caution as outlined in the paragraph below the table. The site was currently occupied by 96 temporary parking spaces managed by RCP. While he could not object to this loss as the spaces were currently operating on an expired temporary permission, he would be concerned that drivers using those spaces would seek elsewhere in Hungerford to park. He did however object on grounds of the loss of 21 parking spaces on the Network Rail operated section of the car park. This was equivalent to one quarter of the spaces in the Network Rail car park which would be unacceptable and contrary to all local and national transport policies. The objection was supported by Network Rail and Great Western Railway. The applicant would need to make a submission to the Department of Transport should they wish to remove these parking spaces and Paul Goddard reported that Highways would join Great Western Railway and Network Rail in submitting objections.
4. Regarding the layout of the site, a pinch point of four metres wide would be created between the development and the current parking spaces opposite the site which was contrary to government guidance in Manual for Streets that states that there should be a six metres aisle. This would result in the spaces being difficult if not impossible to use and with drivers taking longer to park and holding up traffic.
5. A second reason for refusal was poor pedestrian routes onto and across Station Road. There was no designated route through the Network Rail car park. Crossing Station Road by the public house had very limited visibility and it was difficult to walk through the other side due to anti- pedestrian paving and station signage. The routes on into Hungerford town centre had issues including the Park Street / Station Road junction. He therefore concluded with a strong recommendation that on those grounds the application be refused.
6. In accordance with the Council's Constitution, Keith Knight and Carolann Farrell, Parish Council representatives and David Kerr and James Cleary, applicant/agent, addressed the Committee on this application.
7. Mr Knight and Mrs Farrell in addressing the committee made the following points:
 - The site had been vacant and marketed for sale since 2007. The former buildings were demolished in 2010 and the site had been used as a car park since 2012.
 - The area around the station was a gateway into Hungerford and the Town Council would like to see this area beautified.
 - The housing, including the nine affordable housing units, offered by the site was important to help the town grow.
 - Policy CS9 had not been updated for ten years and should be reviewed regularly.

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- There were other spaces available in the town for employment, including Charnham Park.
 - The 96 temporary parking spaces were cheap and attracting commuters from rural areas who would have otherwise parked elsewhere. The 21 spaces operated by Network Rail could be withdrawn at anytime by the freeholder. There was a car park operated by West Berkshire Council close to the site.
 - If the application was refused, could West Berkshire Council acquire the land by compulsory purchase in order to operate a car park?
 - There was a walkway to the town centre from the train station.
8. Councillor Anthony Pick enquired how many car parking spaces were available, excluding the 96 temporary spaces. Mr Knight responded that there were currently 80 spaces which would be reduced to 59 if the application was approved. There were also 104 spaces in the West Berkshire Council owned car park and parking was not a particular problem in Hungerford.
 9. Councillor Pick enquired what evidence was available to support the statement that the car park users were coming from remote areas. Mr Knight replied that the car park filled up by 8am and would not empty until after 6pm.
 10. Councillor Hilary Cole referred to Hungerford Town Council's regeneration brief and asked if this had been submitted to West Berkshire Council. Mrs Farrell answered that the document had been written before she or Mr Knight became members of Hungerford Town Council but her understanding was that Neighbourhood Development Plans had overtaken the former process in seeking adoption of the brief.
 11. Councillor Cole clarified that policy CS9 was a current policy and adopted in 2011.
 12. Councillor Paul Hewer enquired whether Great Western Railway or Network Rail had approached the applicant to purchase the site. Mr Knight responded that he did not know.
 13. Councillor Paul Bryant asked if there was a parking problem in Hungerford. Mrs Farrell replied that she did not believe so as the West Berkshire Council car park had 40 spaces available that afternoon. Mr Knight added that there was also parking available in the High Street and the town council did not usually receive complaints regarding parking.
 14. Councillor Bryant asked why the town council did not want commuters to use parking in the town. Mr Knight responded that they did not contribute to the town's economy.
 15. Councillor Jeanette Clifford asked if there was concern about the impact of the lost parking spaces. Mrs Farrell responded that the application would see a reduction in the traffic impact of the site as instead of 96 spaces there would be 33 residents' parking spaces.
 16. Councillor Clifford asked for details of the walkway. Mrs Farrell advised that there was a railing lined walkway which sided onto the walkway which emerged in the Cuttings and onto the High Street.
 17. Councillor Howard Bairstow noted that even if 40 cars used the vacant spaces in the West Berkshire Council car park, there would still be 77 vehicles seeking other parking spaces. He asked if there had been development in the neighbouring villages to Hungerford such that there was a greater need for commuter parking. Mrs Farrell responded that development had not been on a large scale.

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18. Mr Kerr and Mr Cleary, in addressing the Committee, raised the following points:
- The site needed regeneration and development as it had been vacant and on the market for ten years.
 - The site was a sustainable location and the design was interesting and acceptable to officers.
 - No objections had been submitted by education, environmental health or the tree officer.
 - The site was in employment land but surrounded by housing. Officers accepted that the site no longer needed protection as employment land.
 - The Highways and Drainage Officers had not communicated effectively during the application process and their objections were illogical.
 - The 96 parking spaces were operating on an expired consent and refusal on this basis would not be defensible. It was in the applicant's control to take back the spaces at any time.
 - There were no historic issues of flooding on the site and the application did propose a drainage solution but the Drainage Officer admitted he was not qualified to make an assessment of the proposal.
19. Councillor Jeff Beck asked for clarification of the ownership of the site. Mr Cleary responded that the applicant partly owned the land that Network Rail operated 21 parking spaces on. These spaces could be withdrawn at any time.
20. Councillor Hewer noted that Great Western Railway wanted to increase parking capacity at Hungerford railway station and asked whether they had ever offered to purchase the site. Mr Kerr confirmed that no offers had been made by Great Western Railway or Network Rail.
21. Councillor Pick recalled that the occupier of 5a Station Yard had expressed concern about the impact of the application on access to his business. Mr Cleary confirmed that the through route would not be impacted by the proposed development.
22. Councillor Bryant enquired whether, in light of the recent tragic event at Grenfell Tower in London, it was proposed to use sprinklers in the flats. Mr Cleary commented that he would be surprised if it was not and that matter would be considered at the detailed stage of the application.
23. Councillor Pick asked for a comment regarding the objection of a resident of Crofton House that the flats would overshadow Crofton House. Mr Cleary advised that the development would be on the north side of Crofton House so would not cause overshadowing and the highest part of the development's roof line would be lower than Crofton House.
24. Councillor Hewer speaking as Ward Member raised the following points:
- Pedestrian access would not be an issue because there was a walkway.
 - He had asked drivers who parked at the site where they lived and they were usually from neighbouring villages. They were clearly attracted by the low parking fee.
 - The loss of 21 spaces was the most important issue and there was plenty of other parking provision in the town.

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- He would like to see some development on the site but this might not be the right application.
25. Councillor Adrian Edwards asked where Councillor Hewer thought the current users of the car park would go. Councillor Hewer responded that he could not say that the West Berkshire Council car park was underused but there were some spaces available.
 26. Councillor Clifford asked whether residents of Hungerford viewed the use of the station by commuters as a bad thing. Councillor Hewer stated that they did not but they were being attracted to that particular car park by the low fee.
 27. Councillor Cole questioned why the Committee had been presented with an email of objection from Great Western Railway when usually the rules regarding late information were strict. She requested that in future any additional information be checked with officers from the Legal team.
 28. Councillor Pick asked for clarification regard the access to 5a Station Yard. Michael Butler responded by explaining that as a result of the recent appeal decision which granted permission for eight dwellings in Station Yard, officers could not recommend refusal of the application on the basis of potential conflict between residents and commercial traffic.
 29. Councillor Beck asked how many parking spaces would remain in the Network Rail car park should the application be approved. Paul Goddard responded that ownership of the site was not a planning matter, however 21 spaces that were currently available as part of the car park that Network Rail operated would be lost should the application be approved. The email from Great Western Railway was no different to his own advice.
 30. Councillor Bryant asked whether the site had been submitted under the call for sites as part of the next Local Plan. Derek Carnegie advised that he did not know but the protection of the site as employment land would need to be reviewed in light of the eight dwellings allowed nearby.
 31. Councillor Garth Simpson asked whether any assessment had been made of forecasted use of parking at the station, including the impact of the railway modernisation. Paul Goddard advised no assessment had been made but it was likely that demand for parking would increase as future housing sites would increase demand. Demand for parking in Hungerford had remained static while the 96 spaces had been available.
 32. Councillor Edwards asked why the Committee had heard that the West Berkshire Council car park was underused. Paul Goddard responded that he had sought advice from the Parking Manager who confirmed that demand had not changed.
 33. Councillor Hooker asked whether the applicant accepted that there would be a pinch point. Paul Goddard advised that the applicant had suggested the plans could be amended but these had not yet materialised and so he could not comment upon whether they would be satisfactory.
 34. In commencing the debate, Councillor Pick noted that the total capacity for parking near the railway station was 290 spaces. If approved, the application would cause a 40% reduction in available parking. If the town council was correct that spaces could be found elsewhere the proposed development would be a good way to redevelop the site. If they were incorrect there would be an issue. He was concerned by the absence of forward planning and consideration of the long term parking needs of Hungerford.

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35. Councillor Cole expressed the view that the Committee were going down a 'rat-hole' about parking when ultimately the application proposed residential housing on a site protected as employment land. She did not think that the development would enhance the gateway into Hungerford and while she understood the aspirations to improve it, there needed to be a cohesive plan. Forthcoming developments would increase the demand for parking at the railway station. Councillor Cole also expressed her disappointment that the applicant had chosen to make remarks in their presentation concerning officers' handling of the application when the Committee were required to make a decision on the quality of the application before them. In conclusion she proposed that the Committee accept officer's recommendation to refuse planning permission. The proposal was seconded by Councillor Anthony Pick.
36. Councillor Beck expressed the view that it would not be ideal to have housing so close to the railway. The loss of parking was a concern and in his experience the West Berkshire Council car park was always near full. He supported the officer's recommendation.
37. Councillor Bairstow noted that the site had been vacant for ten years and was unlikely to be attractive as a commercial site. Charnham Park was far preferable as a site for commercial use and the application before the Committee might be the best use of the site.
38. Councillor Bryant expressed the view that similar parking issues would arise should an application for a commercial building be submitted. The Council liked to think it was plan lead and he suggested that the best option would be to bring the site forward in the next iteration of the Local Plan. The access pinch point would also need to be solved.
39. The Chairman invited the committee to vote on Councillor Cole's proposal to accept the officer's recommendation to refuse planning permission, as seconded by Councillor Pick. At the vote the motion was carried.
40. Councillor Benneyworth asked that his abstention be recorded.

RESOLVED that the Head of Development and Planning be authorised to refuse planning permission for the following reasons:

1. The applicant has failed to enter into a s 106 planning obligation, which would ensure that 9 affordable units would be provided on the application site. Given the significant local demand for such housing in the Hungerford Town, the absence of this planning gain is unacceptable having regard to the advice in policy CS6 in the West Berkshire Core Strategy of 2006 to 2026 and the advice on affordable housing in para 50 of the NPPF of 2012.
2. The proposal will result in the loss of car parking that is currently provided for commuters travelling by train. This will result in parking being displaced to other locations within Hungerford town centre where there often already is parking congestion. The loss of these parking spaces is also contrary to all aims of encouraging use of the train as a sustainable alternative of travel to the private car. It is therefore contrary to Government advice contained within the National Planning Policy Framework (March 2012), Policies CS5 and CS13 of the West Berkshire District Core Strategy 2006 to 2026 and the Local Transport Plan for West Berkshire 2011 - 2026.
3. The application fails to provide convenient and safe pedestrian routes towards and across Station Road and into Hungerford town centre. The proposal is therefore

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contrary to Government advice contained within the National Planning Policy Framework (March 2012), Policies CS5, CS13 and CS14 of the West Berkshire District Core Strategy 2006 to 2026 and the Local Transport Plan for West Berkshire 2011 - 2026.

- 4 The applicant has failed to satisfy the Council that the new scheme can satisfactorily accommodate suitable on and off site drainage measures in order to avoid on and off site flooding. This is contrary to the advice in para 103 of the NPPF of 2012, and the advice in policy CS16 of the West Berkshire Core Strategy of 2006 to 2026. It is accordingly unacceptable.

26. Appeal Decisions relating to Western Area Planning Committee

Members noted the outcome of appeal decisions relating to the Western Area.

(The meeting commenced at 6.00 pm and closed at 8.01 pm)

CHAIRMAN

Date of Signature