

# **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, 15 JANUARY 2020**

**Councillors Present:** Adrian Abbs, Phil Barnett, Jeff Cant, Hilary Cole, James Cole (Substitute) (In place of Clive Hooker), Carolyne Culver, Claire Rowles, Tony Vickers (Vice-Chairman) and Howard Woollaston

**Also Present:** Derek Carnegie (Team Leader - Development Control), Paul Goddard (Team Leader - Highways Development Control), Jenny Legge (Principal Performance, Research and Consultation Officer) and Shiraz Sheikh (Principal Solicitor)

**Apologies for inability to attend the meeting:** Councillor Clive Hooker

#### **PART I**

##### **5. Minutes**

The Minutes of the meeting held on 27 November 2019 were approved as a true and correct record and signed by the Chairman.

##### **6. Declarations of Interest**

Councillor Hilary Cole declared an interest in Agenda Items (4) 2 and 3 but reported that, as her interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, she determined to remain to take part in the debate and might vote on the matter.

Councillor James Cole declared an interest in Agenda Items (4) 2 and 3 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 Tony Vickers and Phil Barnett declared an interest in all Agenda Items but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

Councillor Carolyne Culver declared an interest in Agenda Items (4) 1 and 4, but reported that, as her interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.

Councillor Adrian Abbs declared an interest in Agenda Item(4) 4, 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.

##### **7. Schedule of Planning Applications**

The Committee resolved to vary the order in which the items would be discussed, due to the personal circumstances of the applicants.

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### (1) **Application No. and Parish: 19/02676/HOUSE, 37A Russell Road, Newbury**

*(Councillors Jeff Cant, Tony Vickers and Phil Barnett declared a personal and prejudicial interest in Agenda Item 4(4) by virtue of the fact that they were members of the Newbury Town Council and in all but Councillor Cant's case, served on its Planning and Highways Committee. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)*

*(Councillors Carolyn Culver and Adrian Abbs declared a personal and prejudicial interest in Agenda Item 4(4) by virtue of the fact that they had been lobbied. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)*

1. The Committee considered a report (Agenda Item 4(4)) concerning Planning Application 19/02676/HOUSE in respect of a Section 73: Variation of Condition 2 - Approved plans and Condition 3 - Materials of previously approved application 18/00541/HOUSE: Demolish single-storey garage and rear conservatory. Proposed two-storey side and rear extensions and loft conversion, to create large family home. Widen existing dropped kerb access to provide four off-road parking spaces.
2. In accordance with the Council's Constitution, Mr Taig McNab and Mr James Green objectors, and Mr James Sopp (Hungerford Design), agent, addressed the Committee on this application.
3. Derek Carnegie 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 acceptable and a conditional approval was justifiable.
4. Mr Green and Mr McNab in addressing the Committee raised the following points:
  - Mr Green noted that there were two principle issues regarding the impact of this proposed scheme on his property, No.37, which were the loss of light due to the enlarged side extension near to his boundary, and the overbearing nature of the design.
  - In order to reduce the impact on his neighbour Mr McNab's property, the design increased the impact on his property, as a trade-off.
  - In the previous application the roof had been massive but balanced, however the new design left it unbalanced and ugly.
  - The extension was overbearing and ugly.
  - He was surprised that the original consent had been granted.
  - Mr McNab stated that the new roof line did not comply with policy, SPG section 4, as the amended roof line was not subservient and was a storey taller than the original property.
  - Objections had been made as the design was ugly, and he would rather have the extant design with a more balanced roof.
  - The application had been deferred by the Western Area Planning Committee on 18 December 2019, so that more information could be provided regarding shadowing. However, he felt that the diagram provided was misleading, as it did not compare different times of day or year, but was a single snapshot of a day in spring. He considered the deferment as a waste of time and money.

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- He asked that the Committee reject the application so that the neighbours' concerns could be dealt with.
  - This proposal had depreciated the value of his property by thousands of pounds and his wife had been severely affected by the stress of the dispute.
5. Councillor Carolyn Culver remarked that the previous application had been approved under delegated authority, and asked why the neighbours had not asked their Ward Member to call it in to Committee. Mr Green explained that he had sought advice from his Ward Member and she had instructed him to go to the Town Council meeting, which he did. The Town Council had rejected the application. He had not been advised by his Ward Member that there was a process in place whereby an application could be called-in to be considered by the Western Area Planning Committee.
  6. Councillor Adrian Abbs inquired how the objectors had created their own shadow diagrams. Mr McNab explained that he had used a website, designed for people like him. Members of the public, without special technical knowledge or skill, could create something similar to that provided by the architect. Councillor Abbs speculated whether these drawings were valid. Mr McNab asserted that they were 100% valid.
  7. Mr Sopp in addressing the Committee raised the following points:
    - Following the decision made by the Committee on 18 December 2019 to defer the decision on this application, a shadow diagram had been provided by the architect and the scale of the design of the rear extension had been significantly reduced.
    - The minimum requirement for right of light was 50%, at 50.1% the design was above the minimum.
  8. Councillor Abbs inquired whether the new design was deeper than that of the existing approval. Mr Sopp confirmed that it was 200mm deeper, but this had been reduced on the current design.
  9. Councillor Andy Moore, speaking as Ward Member, in addressing the Committee raised the following points:
    - He was surprised that the application had returned to the Committee so soon after it had been deferred.
    - He was glad that the shadow designs had been provided and noted that they were dated as March, but were obviously describing a point late in the afternoon in June. There was no comparison of the new and old design or for different times of the year, and he felt it was a pity that the objector had to be relied on to provide this information.
    - He recognised that there was an approved design that no-one wanted to see built.
    - There was the additional factor of a pending legal case against the original design of 2018.
    - The new proposal was an improvement, but should the objector win the legal challenge, then the extant permission would not be able to be enacted. He felt it would be best at this point to refuse this application and let the legal action play out.
  10. Councillor Hilary Cole asked the Legal Officer for confirmation that a civil litigation case should not affect the Committee's decision. Kim Eccles confirmed that Councillor Cole was correct, and that it had no bearing.

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11. Councillor Claire Rowles asked for further clarification as to whether the Members could decide to approve an application that may be irrelevant should the 2018 permission be overturned. Kim Eccles reiterated that the Members should consider the application before them tonight, and that it was unaffected by the pending legal challenge.
12. Councillor Abbs commented that it was clear that the Committee was determining the application presented to them this evening.
13. Councillor Rowles asked the Planning Officer to explain the shadow diagrams presented by the architect. Derek Carnegie described how the diagram showed that shadowing was limited, and was an improvement on the existing scheme. Officers were content with the diagrams. He observed that it might be difficult for Members to find a sensible middle ground, given the conflicting diagrams provided by the objectors and the architect.
14. Councillor Jeff Cant asked for confirmation that the extant permission remained valid and could be built, should the new application be refused. Derek Carnegie confirmed that this was the case, although it was under legal challenge.
15. Councillor Abbs asked whether the officers accepted the objectors shadow diagrams as valid. Derek Carnegie answered that he had not been able to look at them in detail. He asked that Members take into consideration that this was a terraced street, where it was nigh on impossible to do anything that did not impinge on a neighbour. Planning Officers were responsible for ensuring that appropriate housing was provided without spoiling amenities. The revised scheme provided a larger family home without affecting local amenities or neighbours dramatically. He further explained that the applicant would always show the design at its best, and conversely the objector would show it at its worst. The Committee would have to find the middle ground. Officers had visited the scheme, and having viewed it from all sides, found it to be satisfactory.
16. Councillor Abbs observed that Mr Green had commented that the previous application had been restricted on his side, and the revised plan was more impactful on his property. Derek Carnegie noted that the changes made were not significant enough to warrant refusal.
17. Councillor Rowles reiterated that the legal case was ongoing and that the Committee might be debating a hypothetical application and asked for further reassurance from the Legal Officer. Kim Eccles re-asserted that the litigation should not affect the Members decision. Councillor Hilary Cole repeated that each application should be determined on its own merits.
18. Councillor Abbs observed that on the site visit, many Members were shocked at the lack of light in the objector's homes at this time of year. If the previous application had come before the Committee he believed that it would not have been approved. The new proposal impacted on both neighbours. The applicant could have extended with little impact, but had chosen not to.
19. Councillor Abbs proposed that the Committee reject officer's recommendation and reject planning permission. The motion was seconded by Councillor Phil Barnett.
20. Councillor Barnet expounded that residents were living in a climate where they were encouraged to stay in their existing properties and extend them. The area around Russell Road was a mix-and-match of extensions in the rear of houses. Extensions to the rear of houses do not necessarily affect the street scene and he would ordinarily support such an application. However, on visiting this site he was aware of

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the impact and that the extension would remove too much light from neighbouring properties.

21. Councillor James Cole noted that there were two sets of shadow diagram, neither of which had been provided by experts. The objectors set had not been considered by officers and he was uncomfortable with this.
22. Councillor Hilary Cole regarded the photograph of the extension of No.37. She noted that there were no windows in the side aspect and it would therefore, not suffer from shadowing. In her opinion, she also felt that the timber cladding was out of keeping with surrounding properties. Councillor Rowles questioned whether the windows and design of No.37 were relevant to the debate. Councillor Hilary Cole noted that Members were often invited to take the street scene into consideration and it was therefore, a valid comment.
23. Councillor Cant reflected that whilst he had considerable sympathy with the neighbours, he reminded Members that they could not legitimately re-run the approval of the extant permission. The new design was better than the original.
24. Councillor Abbs concurred that the Committee should consider the application on its own merits, as they could control this and only this.
25. At the vote, the motion was carried to reject officer's recommendation and refuse planning permission, with four in favour, three against and two abstentions.

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

**Reason:** Loss of light and adverse impact on amenity.

### **(2) Application No. and Parish: 19/01540/HOUSE, Cherry Hinton, Newbury Hill, Hampstead Norreys**

*(Councillors Jeff Cant, Tony Vickers and Phil Barnett declared a personal and prejudicial interest in Agenda Item 4(1) by virtue of the fact that they were members of the Newbury Town Council and in all but Councillor Cant's case, served on its Planning and Highways Committee. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)*

*(Councillor Carlyne Culver Abbs declared a personal and prejudicial interest in Agenda Item 4(1) by virtue of the fact that they had been lobbied. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)*

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 19/01540/HOUSE in respect of an extension to the garage and a first floor extension.
2. In accordance with the Council's Constitution, Mr David Barlow, Parish Council representative, Mr Andrew Wilcock and Ms Theresa Fleetwood, objector, Mr James McCall, supporter, and Mr Lee Clark applicant, addressed the Committee on this application.
3. Derek Carnegie 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 acceptable and a conditional approval was justifiable.
4. Mr Barlow in addressing the Committee raised the following points:

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- The Parish Council were against this third application. They were concerned about the projection of the building to the rear of the property and felt it was inappropriate and overbearing.
  - It was understood that in this area houses were squeezed in amongst each other and that this modern house would affect the back of the existing property.
  - Developments had to take into consideration the wellbeing of neighbours, and the Parish Council felt that a side-by-side design would have been acceptable.
  - There would be significant shadowing of the courtyard of the neighbouring property.
  - The proposal would not make a positive contribution to the area.
  - The courtyard was the only available outside space for the residents of No.1. The high wall would make the space prison-like.
  - The first application was dismissed as unacceptable due to the impact on the neighbours living conditions. The second application had been dismissed by WBC. The Parish Council recommended that the third application should also be dismissed, as the design could be modified with the extension being moved to a different location on the site, where it would not impact on the courtyard.
5. Councillor Hilary Cole noted that according to the plans, the extension was towards the front of Cherry Hinton and some distance from the boundary of No.1. She was unable to see how this would result in the view from the courtyard being that of a large brick wall. Mr Barlow explained that the underlying Ordnance Survey map was incorrect and the plan did not give a true view.
6. Councillor Adrian Abbs wondered what type of extension would be acceptable to the Parish Council. Mr Barlow replied that it would have been more acceptable to extend to the north of the property, rather than the more obvious choice of above the garage.
7. Mr Wilcock and Ms Fleetwood in addressing the Committee raised the following points:
- Ms Fleetwood had lived at No.1 for 12 years.
  - The previous applications had been refused due to the size, proximity and overbearing nature of the design.
  - The objector's house was built on a lower level to Cherry Hinton. There was a small courtyard which would have reduced sunlight from the afternoon onwards, as it would be blocked by the extension. The Planning Inspectors concerns for the first application had not been addressed in the second, and it had therefore been refused.
  - The proposal was overly dominant and overbearing, reducing light to the courtyard from 4pm onwards. The view from the courtyard would be a 25ft wall.
  - The design was out of keeping with the area.
  - She hoped that the Committee understood her feelings and would reject the proposal.
  - Mr Wilcock noted that the site of their garage was different to that on the plans, and that was why they would be able to see the brick wall. There was very little difference between this and the previous applications. The objectors were making no claims about sunlight on windows. Their concern was about the sunlight being lost to the courtyard.

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8. Councillor Claire Rowles asked for confirmation that the brick wall could still be seen from the courtyard in the amended application. Mr Wilcock confirmed that it would be like an obelisk, although it was better than on the previous application, it was a matter of degree.
9. Councillor Howard Woollaston remarked that he struggled to see how the sunlight was reduced. Mr Wilcock explained that the sun passed over the ridge of the house at 4pm in the sky above the garage, and that this was what they would lose.
10. Mr McCall in addressing the Committee raised the following points:
  - He noted that there had been 15 letters of objection, and 20 letters of support. He wanted to address the objectors concerns.
  - The extension had been moved back in line with the garage of No.1, therefore the wall would be barely visible and would not block the sun from the courtyard, as had been suggested.
  - The extension was small and, compared to neighbouring properties, did not fill a large percentage of the curtilage.
  - The Conservation Officer had confirmed that it would not harm the character of the conservation area.
  - Light surveys were not an exact science, but the commissioned surveys made it plain that there would be a negligible loss of light in every respect.
11. Mr Clark in addressing the Committee raised the following points:
  - He was a hard-working man, with a young family, trying to make a better life.
  - He had taken pre-planning advice from West Berkshire Council and presented the plans to the Parish Council, however the Mr Barlow had not been present at the meeting.
  - He had been transparent with this neighbours and had reached a verbal agreement with Ms Fleetwood, although she had since reneged.
  - He had paid £1,200 for a light survey, but West Berkshire Council had been asked to commission another survey, as his was not considered to be independent. The two surveys had reached the same conclusions.
  - The extension had been brought in-line with the garage and away from the boundary. A window had been removed from the design, so there was no chance of overlooking.
  - He asked the Committee what more he could do.
12. Councillor Carolyne Culver, as Ward Member in addressing the Committee raised the following points:
  - She acknowledged the stress levels due to the delays with the application. Bearing in mind the plans for the previous applications were not in the agenda pack, which meant Members could not compare them, it seemed that the current design was set back from the garage and not in-line with it.
  - The Committee had not been presented with evidence to show that ridge heights had been dropped or been provided with the Planning Inspector's comments.
  - She had not been persuaded that the amended proposal was the solution.
13. Derek Carnegie explained that, although the previous applications were not before the Committee, he could assure Members that the applicant had made significant

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revisions to reduce the impact on his neighbour's property. The garage was incorrectly plotted by Ordnance Survey, but he was satisfied that the report showed the size of the building.

14. Councillor James Cole asked if Members were allowed to take loss of light into consideration, as there appeared to be some dispute as to the level of the reduction. Derek Carnegie made clear that there was no confusion with regard to the expert opinion, which was that there would be no noticeable reduction. The light surveys applied national standards and had determined that there would be no adverse effect on the neighbouring property.
15. Councillor Jeff Cant noted that a single storey design had been granted for the 2017 application. Derek Carnegie explained that it had been the opinion that a two storey design would have had an adverse effect. However, the applicant had reduced the bulk of the design and changed the location, to ensure these concerns had been met.
16. Councillor James Cole elucidated that when he stood in the courtyard he imagined what it would be like when the extension had been built, and concluded that it would be dominating and overbearing. It would reduce the amenity value of the courtyard.
17. Councillor Rowles believed there would be an impact on the living conditions of the neighbours. She appreciated that the applicant had made every attempt to improve the design and had consulted with planning officers, however she felt there would still be significant impact and a considerable wall to be seen from the courtyard.
18. Councillor Cant commented that the design was overbearing. Councillor Hilary Cole explained that every development had an impact. Nobody was ever happy when an extension was proposed. The applicant had made substantial concessions and changes since the previous two proposals. The extension had been brought forward and was in-line with the garage, and the dimensions had been reduced significantly. The neighbours felt that they were affected, but the light issues have been addressed and the surveys indicated that there was nothing to be concerned about. Members needed to be pragmatic.
19. Councillor Phil Barnett expressed his concern as to the level of the Cherry Hinton in relation to the courtyard. The courtyard was much lower, and the wall would therefore impinge on anyone using the open-space. He did recognise that the applicant had tried to mitigate the problems with the design, and must be commended for doing so. However, he had considered the concerns of No.1 and felt that, as they would be in some difficulty, he would not be supporting the application.
20. Councillor Abbs noted that he had heard during the discussion that a two storey design had previously been rejected, but that a single storey extension would have been acceptable. There was space to build the extension elsewhere on the site that would not impact on the neighbouring property. He was undecided, but on the two occasions he had visited the site he had seen that the courtyard was set at a lower level, and therefore the ridge height of the proposed extension was of considerable importance.
21. Councillor James Cole recalled that the Parish Council representative had stated that he would have built the extension elsewhere on the site. There was no need for the Committee to approve this design, as there were alternative ways to expand the property that would not impact on the neighbouring house.
22. Councillor James Cole proposed to reject officer's recommendation and refuse permission. This motion was seconded by Councillor Rowles for the reason of the overbearing nature of the design.



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23. Councillor Hilary Coles questioned officers as to the whether a decision to refuse the application would be accepted on appeal. Derek Carnegie responded that he could not be confident that the Planning Inspector would dismiss an appeal, due to the number of concessions made by the applicant and the shadowing report.
24. Councillor Culver recognised the frustration of the applicant who had sought advice from planning officers, and had great sympathy with both the objectors and the applicant.
25. The Chairman reminded the Committee that they must consider the application before them and whether it met policy.
26. At the vote the motion was denied, with three voting in favour, four against and two Members abstaining.
27. Councillor Hilary Cole proposed a further motion to accept officer's recommendation and approve the application. The motion was seconded by Councillor Woollaston. At the vote the motion was carried, with five voting in favour and four against.

**RESOLVED that** the Head of Development and Planning be authorised to **grant** planning permission subject to the following conditions:

### **Conditions**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the site location plan, block plan and drawing number 239-01 received on 21 June 2019.  
Reason: For the avoidance of doubt and in the interest of proper planning.
3. The materials to be used in the development hereby permitted shall be as specified on the plans and/or the application forms. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.  
Reason: To ensure that the external materials respond to local character and appearance. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Quality Design SPD (Part 2, June 2006), and House Extensions SPG 04/2 (July 2004).
4. No demolition or construction works shall take place outside the following hours:  
7:30am to 6:00pm Mondays to Fridays;  
8:30am to 1:00pm Saturdays;  
No work shall be carried out at any time on Sundays or Bank Holidays.  
Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy (2006-2026).
5. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no windows/dormer windows which would otherwise be permitted by Schedule 2, Part 1, Classes A, B and/or C of that Order shall be constructed on the north-eastern

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side elevation of the dwelling, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent overlooking of adjacent properties/land, in the interests of safeguarding the privacy of the neighbouring occupants. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy 2006-2026, Quality Design SPD (2006) and House Extensions SPG (July 2004).

### **(3) Application No. and Parish: 18/00603/COMIND, Newbury Football Club, Faraday Road, Newbury, RG14 2AD**

*(Councillors Jeff Cant, Tony Vickers and Phil Barnett declared a personal and prejudicial interest in Agenda Item 4(2) by virtue of the fact that they were members of the Newbury Town Council and in all but Councillor Cant's case, served on its Planning and Highways Committee. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)*

*(Councillors Howard Woollaston and Hilary Cole declared a personal and prejudicial interest in Agenda Item 4(2) by virtue of the fact that they were Members of the London Road Industrial Estate Project Board. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate but may abstain on the matter.)*

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 1818/00603/COMIND in respect the renewal and expansion of existing football pitch including artificial pitches.
2. In accordance with the Council's Constitution, Mr Gary Norman, Parish Council representative, Mr Lee McDougal (Newbury Community Football Group) and Mr Duncan Crook (Ressance), applicant/agent, addressed the Committee on this application.
3. Derek Carnegie 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 acceptable and that representations at appeal should be made that planning permission should be granted.
4. The Chairman reiterated that the Committee were not making a decision to approve the application, but rather a recommendation to advise the Planning Inspector.
5. Mr Norman in addressing the Committee raised the following points:
  - The time had come to speak of sport, specifically football, but others as well.
  - It was time to look forward and the future started now. Newbury Football Club men's team was two divisions lower, and the women's team could not accept promotion because the pitch was not of an acceptable quality. There was no longer a youth team. The time had come to do something about it.
  - At the Western Area Planning meeting on 18 December 2019, the application to develop the Waterside building had been approved, and he hoped that the Committee would regard this application in the same mould, as a much needed facility for young people.
  - It was important for Newbury Town Football club to have a suitable quality pitch in a suitable location, as soon as possible. If an equivalent site were available, it would have been found already. In the absence of plans for an alternative site, this was the only show in town.

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- Newbury Town Council urged the Committee to approve the application.
6. Councillor Hilary Cole expressed confusion, as she understood that an alternative site had been found. Mr Norman explained that the alternative site was not of the required quality, and therefore the football team had been relegated by two divisions.
  7. Mr Crook in addressing the Committee raised the following points:
    - He complimented officers on their report, however he felt that there was an item missing. He considered that the site should be listed under ADPP2 as a cultural facility, whereas it was currently listed as a sports stadium.
    - The purpose of the site was to serve the entire footballing community, no matter what their age or gender.
  8. Mr McDougal in addressing the Committee raised the following points:
    - The application was about providing a sporting facility for the whole community to share.
    - In the past, the facilities had been used by the community and held in high esteem for their charity fund raising.
    - The site was currently in a very tired condition. The community had shown they wanted to revive it.
    - The Football Association (FA) graded pitches in 6 steps, with 6 being the lowest quality. Faraday Road was graded at step 5, Thatcham was step 4, and Hungerford was step 2. A football team would not be allowed to play in certain divisions if their pitch was not of sufficient quality.
    - Mr McDougal had been involved in children's football and knew the struggle of trying to find pitches of a suitable quality. His was a volunteer run community group.
    - The re-development of the site would provide a revenue stream to the public purse, and give people the environment to learn skills and realise ambition.
  9. Councillor Jeff Cant in addressing the Committee as Ward Member raised the following points:
    - He wished to express his admiration for the commitment shown to keep football alive in Newbury. This application was an expression of the community's frustration.
    - The Committee was not considering delivering football to Newbury, but the proposal in isolation. Planning officers regarding the proposal as a strong case in the abstract and that the application was acceptable.
  10. Councillor Adrian Abbs asked the Legal officer whether the a decision made to approve this application would stand, should the football club remove their appeal. Kim Eccles explained that if a decision to recommend approval made was made at this meeting, it would be considered at appeal as an advisory, not as an approved planning permission, and a subsequent application would need to be made.
  11. Councillor Claire Rowles asked the Highways officer to comment on the application. Paul Goddard remarked that he had originally objected, as he had concerns regarding parking during the day. However, the applicant had indicated that the ground would be used mainly during the evening and at weekends. As traffic would be mostly at off-peak times, there was therefore no objection.

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12. Councillor Cant posited that Members should take account of the sustainability of the site, which could easily be accessed by train, bus, foot or bike.
13. Councillor Tony Vickers noted that there were no conditions mentioned in the report. Derek Carnegie explained that this was for the Planning Inspector to determine.
14. Councillor James Cole expressed the point of view that there was nothing more to discuss and proposed to accept the officer's recommendation. The motion was seconded by Councillor Abbs.
15. Councillor Phil Barnett was delighted that football would be back in Newbury.
16. At the vote the motion was carried with seven voting in favour and two Members abstaining.

**RESOLVED** that the Head of Development and Planning be authorised to make the following recommendation:

1. The purpose of this item for decision is not to determine the planning application, but to determine the Council's position at the appeal. For the reasons detailed above, it is recommended that the appeal is supported.
2. Irrespective of its position on the planning merits, the Council will provide a list of suggested conditions on a 'without prejudice' basis. Council Officers will negotiate with the Appellant on the wording on the suggested conditions.
3. The full recommendation is as follows:
4. To DELEGATE to the Head of Development and Planning to make representations at appeal that planning permission should be granted subject to conditions.

**(4) Application No. and Parish: 18/00604/OUT, Newbury Football Club, Faraday Road, Newbury, RG14 2AD**

*(Councillors Jeff Cant, Tony Vickers and Phil Barnett declared a personal and prejudicial interest in Agenda Item 4(3) by virtue of the fact that they were members of the Newbury Town Council and in all but Councillor Cant's case, served on its Planning and Highways Committee. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)*

*(Councillors Howard Woollaston and Hilary Cole declared a personal and prejudicial interest in Agenda Item 4(3) by virtue of the fact that they were Members of the London Road Industrial Estate Project Board. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and may abstain on the matter.)*

1. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 18/00604/OUT in respect of an outline permission for replacement of clubhouse and stand at Newbury Football Ground. Matters to be considered: Access and Layout.
2. In accordance with the Council's Constitution, Mr Lee McDougal (Newbury Community Football Group) and Mr Duncan Crook (Ressance), applicant/agent, addressed the Committee on this application.
3. Derek Carnegie 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 acceptable and that representations at appeal should be made that planning permission should be granted.
4. Mr Crook in addressing the Committee raised the following points:

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- The application had not been made out of frustration, but out of a genuine hope that the Planning Inspector would approve it.
  - He felt they had shown the economic viability of redeveloping the site and that this was the best use of the land.
  - It was difficult to understand where another site could be found that would be so widely used and be able to positively generate income.
5. Mr McDougal in addressing the Committee raised the following points:
- He was trying to create teams for the under 18's and under 23's, but was in a chicken and egg situation. He could not attract youngster to the team as there was no ground, and he could not warrant a ground without having teams who wanted to play.
  - The current ground had no clubhouse and parents simply dropped off their children and left. A clubhouse would provide an area for parents and players to mingle and create a community atmosphere. He asked Members to not underestimate the value of a meeting place.
6. Councillor Claire Rowles asked if the intention was to use the facility for the wider community or just for the football club. Mr Crook explained that the application was not only on behalf of a single club, but for the entire footballing community. It would play a wider social role, in charitable events, for example. Having a decent facility would be positive for the health and wellbeing of players. It would incentivise young players to stay with the club.
7. Councillor Tony Vickers expressed the opinion that he could not see an alternative site, although one had been explored in Wash Common. Mr Crook explained that the Wash Common site had been considered, but was out of the town centre. A town centre location was preferable, as it would bring parents into the town. Also Sport England recommended that grounds had sustainable transport facilities.
8. Councillor Adrian Abbs asked officers to clarify that the plans were accurate, as they showed the existing footpath as being slightly re-routed. Derek Carnegie explained that there would be some implications but nothing significant. Councillor Abbs further commented that he frequently used the path and it was often rather wet. Derek Carnegie confirmed that there had been no objection from consultees as to the routing of the path.
9. Councillor Rowles queried whether the trees on the plan were new or existing. Derek Carnegie explained that a detailed landscaping scheme would be required, should permission be granted.
10. Councillor Cant proposed to accept the officer's recommendation. The motion was seconded by Councillor Carlyne Culver.
11. Councillor James Cole asked for clarification on the position of the fence and the protection of the Site of Special Scientific Interest (SSSI). Derek Carnegie answered that there would be implications for the path and the fence line was on the limit of the development. He noted Members concern regarding the SSSI, however no consultees had raised no concerns about the proximity.
12. At the vote the motion was carried, with seven voting in favour and two abstentions.

**RESOLVED** that the Head of Development and Planning be authorised to make the following recommendation:

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1. The purpose of this item for decision is not to determine the planning application, but to determine the Council's position at the appeal. For the reasons detailed above, it is recommended that the appeal is supported.
2. Irrespective of its position on the planning merits, the Council will provide a list of suggested conditions on a 'without prejudice' basis. Council Officers will negotiate with the Appellant on the wording on the suggested conditions.
3. The full recommendation is as follows:
4. To DELEGATE to the Head of Development and Planning to make representations at appeal that planning permission should be granted subject to conditions.

### **8. Appeal Decisions relating to Western Area Planning Committee**

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

*(The meeting commenced at 6.30 pm and closed at 9.25 pm)*

**CHAIRMAN** .....

**Date of Signature** .....