

Notice of Meeting



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Western Area Planning Committee Wednesday 19 July 2017 at 6.30pm in the Council Chamber Council Offices Market Street Newbury

The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcasted, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded.

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

Note: Plans relating to the Planning Applications to be considered at the meeting can be viewed in the Council Chamber, Market Street, Newbury between 5.30pm and 6.30pm on the day of the meeting.

No new information may be produced to Committee on the night (this does not prevent applicants or objectors raising new points verbally). If objectors or applicants wish to introduce new additional material they must provide such material to planning officers at least 5 clear working days before the meeting (in line with the Local Authorities (Access to Meetings and Documents) (Period of Notice) (England) Order 2002).

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

Further information, Planning Applications and Minutes are also available on the Council's website at www.westberks.gov.uk

Any queries relating to the Committee should be directed to Jo Reeves on (01635) 519486 Email: joanna.reeves@westberks.gov.uk



Agenda - Western Area Planning Committee to be held on Wednesday, 19 July 2017
(continued)

Date of despatch of Agenda: Tuesday, 11 July 2017



Agenda - Western Area Planning Committee to be held on Wednesday, 19 July 2017
(continued)

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

Substitutes: Councillors Jeanette Clifford, James Fredrickson and Mike Johnston

Agenda

Part I

Page No.

- | | | |
|-----|---|--------|
| (1) | Application No. and Parish: 17/00223/FULEXT Land on north and east side of Pyle Hill, Greenham | 5 - 6 |
| | Proposal: Erection of 71 dwellings with associated access roads and car parking, pedestrian access and parking with landscaping. | |
| | Location: Land on north and east side of Pyle Hill, Greenham | |
| | Applicant: David Wilson Homes | |
| | Recommendation: The Head of Development and Planning be authorised to GRANT conditional planning permission, subject to the first completion of a s106 planning obligation. | |
| (2) | Application No. and Parish: 17/00597/FULD and 17/00598/LBC2 The Malt Shovel, Upper Lambourn, Hungerford, Berkshire | 7 - 10 |
| | Proposal: Change of use and conversion of public house into 1 and 2 bedroom flats. | |
| | Location: The Malt Shovel, Upper Lambourn, Hungerford, Berkshire | |
| | Applicant: Mr R. McCabe | |
| | Recommendation: The Head of Development and Planning be authorised 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 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.



West Berkshire
C O U N C I L

Agenda - Western Area Planning Committee to be held on Wednesday, 19 July 2017
(continued)

Andy Day
Head of Strategic Support

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



WESTERN AREA PLANNING COMMITTEE ON 19 JULY 2017

UPDATE REPORT

Item No: (1) **Application No:** 17/00223/FULEXT **Page No.** 29 - 48
Site: Land on north side of Pyle Hill, Newbury

Planning Officer Presenting: Michael Butler.

Member Presenting: N/A

Parish Representative speaking: N/A

Objector(s) speaking: Mrs Lucy Crofts

Supporter(s) speaking: N/A

Applicant/Agent speaking: Mr Michael Cleveland – David Wilson Homes
Mr Steven Smallman – Provision
Mr Peter Shepherd – BSG Ecology

Ward Member(s): Councillor Billy Drummond
Councillor Jeremy Bartlett

Update Information:

One additional letter received from a local resident. Still concerned about the loss of wildlife on the site, the loss of an open space, there are more suitable sites to be developed in the town, and traffic concerns. Land should be registered as a village green. Impact on local footpath.

Greenham PC - Continue to object on the amended plans.

Tree Officer - Remains concerned with the potential impact on West Wood adjacent and the TPO trees which form part of this woodland. There should be a minimum 15m buffer to any development, including the road way edge. This is not achieved in all places. Also still concerned about future potential shadowing of some of the dwellings in the winter months. Recommends refusal.

An updated letter from the applicant's Ecologist has been received in reply to the continued objection from

BBOWT. This prays in aid a number of technical points regarding biodiversity matrices, the detail of which is not necessary to go into in the update sheet. Suffice it to say that the case officer is satisfied that given the advent of the land to the south of the application site to be secured as a new ecological/habitat area/scrubland mix, along side the addition of the many new gardens in the application site, with other features such as bat boxes, the overall impact on biodiversity will be neutral and possible positive, not negative as BBOWT believe. This will ensure that the application meets the required test in the NPPF.

A local resident has submitted a traffic count at Pyle Hill between 7.15am and 9am on a weekday. This noted 454 vehicles travelling north and 468 travelling south. The Council Highways Officer has accepted these figures but notes this makes no difference to his overall conclusions.

One more local resident has asked if the question of land being held in perpetuity as open space has been identified, more so in relation to the allocated site to the west of this application site. At the time of writing this matter has not been finally resolved. This is the subject of negotiations on application 17/01096/outmaj for 157 dwellings also falling under policy HSA4. On this application the Council cannot seek to control the future of land outside any red or blue land, as this is beyond the Council ownership.

Two typographical corrections. Page 29 under fire and rescue. "Top" should read "to".
Page 33. Last sentence - "a" should be deleted.

DC

WESTERN AREA PLANNING COMMITTEE ON 19 JULY 2017

UPDATE REPORT

Item No: (2) **Application No:** 17/00597/FUL
17/00598/LBC2 **Page No.** 49 - 64

Site: The Malt Shovel, Upper Lambourn

Planning Officer Presenting: Derek Carnegie

Member Presenting:

Parish Representative speaking: N/A

Objector(s) speaking: Mr Robert Ballin
Ms Vivian Griffith

Supporter(s) speaking: N/A

Applicant/Agent speaking: Mr Roger McCabe – Owner
Mr Chris Parker – Agent
Mr Dennis Alston - Architect

Ward Member(s): Councillor A G Lundie
Councillor A G Jones

Update Information:

One further letter of objection which is attached in full on the next page. Of the matters the letter raises, the loss of the public house as a community asset, flooding, and the benefit or otherwise of the proposed housing and affordable unit was outlined in the Case Officer's main report.

The additional matter raised in the letter of objection is that the Malt Shovel was in profit prior to the purchase by the current owner. The viability assessment in Appendix C outlines a trading loss in 2011 of £16,862, in 2012 a net trading profit of £7,967 and a net trading profit of £19,238 in 2013. The overall profit for the 3 years was £10,345. This is not substantial medium term return.

Letter received from Mrs Griffiths – a local objector and speaker at Committee.

Following this morning's meeting in the Malt Shovel car park:-

It is becoming only too commonplace for developers to buy village pubs, bring about a decline in profit by poor management, then cry 'not viable' in order to secure a lucrative Planning Permission.

Viability Report

The Viability Report shows that the Malt Shovel was in profit immediately prior to being purchased by the present owner.

After many months closure while the sale went through the present owner re-opened the Malt Shovel in December 2014 but closed it again the following month. It is optimistic for any business to expect to show a profit in the first year let alone the first month. The Malt Shovel was then closed for a further 8 months.

The temporary landlord from June 2015 – June 2016 was an inexperienced young man, reputedly a member of the owner's family. The Malt Shovel (re-named Mill House for some inexplicable reason) was run abysmally with, at times, no beer, no wine, no chef and disinterested staff.

The Viability Report is dated 5th July 2017. It is a snapshot in time, taken after nearly 3 years of mismanagement by the present owner, it does not reflect the success it might have been had it been run like The Plough and other professionally run gastro pubs in the surrounding area, which are frequently fully booked at the weekends and busy during the week.

Asset to the local Community.

The Lambourn and Upper Lambourn area is known worldwide as being a major centre of the racing world. It is a feather in West Berkshire's cap and a trophy to be prized and protected.

The Malt Shovel, Upper Lambourn's only amenity, was used by trainers, owners, racegoers stable staff, residents, racing enthusiasts, passers-by, cyclists and many more. Outside tables attracted families, walkers, cyclists and many others. The rooms provided much needed accommodation for visitors and there is the potential for them to be rented out long-term to stable staff, providing low the cost accommodation new build flats will not.

Re-sale.

Mention was made that no group of people came forward with a proposal to purchase the Malt Shovel. While ostensibly being available, with a For Sale board prominently displayed, viewings were not allowed. I rang the agents for a viewing in mid 2016 on behalf of an investor in London but was refused. I know of another group interested in a joint venture who were also refused a viewing. I heard this morning there was a third group, also refused. I would be happy to contribute time and funding to a rescue plan. Without access to the building it was impossible for anyone to formulate a rescue plan.

The price being asked for the Malt Shovel was unrealistic but nevertheless a starting point for an honest negotiation had the owner been sincere in his intention to sell.

Flooding.

Despite the Environment Agency requesting a professional Flood Risk Assessment none has been produced, or if one has been it has not been published on the Planning website. In 2014 the Lambourn Valley was flooded for several months. Raw sewage was boiling up through manhole covers and entering people's houses. Limes Cottage

(opposite the Malt Shovel), where I lived for 3 years, was flooded to approximately 40cms, taking a year to make habitable again. It ill behoves the Council to put residents at risk of flooding by knowingly approving dwellings in unsuitable locations, particularly as the flats may be uninsurable or only insurable at high cost because of the flooding history.

Low Cost Housing

Low cost accommodation is needed, but this proposal is not it. One of the flats is marked out to be low cost housing, however the rest would be sold on a commercial basis for as much as the market would allow. A flat with a minimum value of £150,000 would need a buyer with a salary in excess of £45,000 pa or a tenant able to pay £190 pw (5% return + utilities + Council Tax). If the Malt Shovel remains as it is there is the potential for the accommodation rooms to be rented out long-term to stable staff at the going rate of approx £80 all in.

The option to convert to flats will always be there, however if the conversion to flats is permitted the ability to retain the Malt Shovel as a community asset would be lost forever.

This Planning Application needs to be refused.

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