

Notice of Meeting



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Western Area Planning Committee Wednesday 3 November 2021 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.

Date of despatch of Agenda: Tuesday, 26 October 2021

Further information for members of the public

Plans and photographs relating to the Planning Applications to be considered at the meeting can be viewed by clicking on the link on the front page of the relevant report.

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: planningcommittee@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 Jenny Legge on (01635) 503043 Email: jenny.legge@westberks.gov.uk



Agenda - Western Area Planning Committee to be held on Wednesday, 3 November 2021
(continued)

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

Substitutes: Councillors Jeff Beck, Lynne Doherty, David Marsh, Steve Masters, Andy Moore, Erik Pattenden, Garth Simpson and Martha Vickers

Agenda

Part I

Page No.

- (1) **Application No. and Parish: 21/01911/FULD, Land Adjoining, 11 Pond Close, Newbury** 5 - 22
- Proposal:** Removal of derelict garages and erection of 2 no houses and 2 no flats, together with associated landscaping and parking.
- Location:** Land Adjoining, 11 Pond Close, Newbury.
- Applicant:** A, D and E Property Ltd.
- Recommendation:** To DELEGATE to the Service Director of Development and Regulation to GRANT PLANNING PERMISSION subject to the conditions set out in section 8 of this report.
- (2) **Application No. and Parish: 21/02022/CERTE, Land at Coldborough Hill, Eastbury, Hungerford, Lambourn** 23 - 24
- Proposal:** Application for a Lawful Development Certificate for an Existing Use: retention of the use of part of an existing stable building as an independent dwelling.
- Location:** Land at Coldborough Hill, Eastbury, Hungerford.
- Applicant:** Miss Nicola Henton
- Recommendation:** To DELEGATE to the Service Director of Development and Regulation to GRANT a Lawful Development Certificate for the retention of use of part of the existing stable building as an independent dwelling.



Agenda - Western Area Planning Committee to be held on Wednesday, 3 November 2021
(continued)

- (3) **Application No. and Parish: 20/02922/FUL, 39 Newbury Street, Lambourn** 25 - 26
- Proposal:** Demolish existing bungalow and redevelopment to provide 4 No. 3 bedroom dwelling houses with associated parking and amenity areas.
- Location:** 39 Newbury Street, Lambourn, Hungerford, RG17 8PB.
- Applicant:** Mr S Church
- Recommendation:** To DELEGATE to the Service Director of Development and Regulation to GRANT PLANNING PERMISSION subject to the conditions set out in section 8 of this report.

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.

Sarah Clarke

Service Director (Strategy and Governance)

If you require this information in a different format or translation, please contact Stephen Chard on (01635) 519462.

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**WESTERN AREA PLANNING COMMITTEE
DATED 03.11.2021**

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) 21/01911/FULD Land Adjoining 11 Pond Close Newbury Item (3) 20/02922/FUL 39 Newbury Street Lambourn	Pages 5 - 20 Pages 31 - 52
Part 4	Item (2) 21/02022/CERTE Land at Coldborough Hill Eastbury	Pages 21-30

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**WESTERN AREA PLANNING COMMITTEE
ON 03/11/2021**

UPDATE REPORT

Item No: (1) **Application No:** 21/01911/FULD **Page No.** 5-19

Site: Land Adjoining, 11 Pond Close, Newbury

Planning Presenting: **Officer** Cheyanne Kirby

Member Presenting:

Parish speaking: **Representative** Councillor Nigel Foot In Person

Objector(s) speaking: Lorraine Cladingboel In Person
Rachel Reeve In Person

Supporter(s) speaking: N/A

Applicant/Agent speaking: Mr Andrew House - A, D and E Property Ltd (Applicant) In Person

Ward Member(s): Councillor Adrian Abbs
Councillor David Marsh
Councillor Tony Vickers

Update Information:

1. Minutes from application 12/01164/FULD

The minutes from the Western Area Planning Committee meeting on 8 Aug 2012 for the Pond Close application 12/01164/FULD (8 x one bedroomed flats) are attached as requested by Cllr Vickers during the Chairman's Briefing. These note that the recommendation was finely balanced.

Officers would also draw Members' attention to the more recent appeal decision regarding application 20/00014/FULD, which was dismissed in February 2021 on the sole grounds of lack of provision of affordable housing, the Inspector having made no dispute with the officer's considerations that the other aspects of the development of 2 dwellings and 4 flats were acceptable.

2. Car Club

It is noted that following the site visit Members raised queries regarding whether one of the parking spaces could be used as a car club space. However, as this space is not proposed for this purpose and the applicant has indicated that they would be unwilling to accept the use of the space as such, your officers' advice is that since the site provides sufficient parking to accord with the requirements of Policy P1 there is no planning policy basis to justify seeking the provision of the space towards the car club. The application of contributions towards the car club is a solution that is typically adopted where there is a failure to provide a policy compliant level of parking on site, and is assessed against the requirements of Policy P1. While the parking concerns in the area are recognised, these are historic issues that are the result of lawful transfer of the ownership of land and cannot be addressed via retrospectively seeking provision of additional parking arrangements for one particular site beyond the requirements of policy in order to compensate for a historic lack of alternative parking provision secured by planning conditions requiring its retention in the area surrounding the site.

3. Representation Comment

Concern has been raised that the representation comments submitted have been summarised too briefly within the committee report and that committee members will only have the summaries to base their decision on. All objection letters are read by the case officer and comments made within them are noted and are part of the assessment of the application by the case officer. The representation letters are also available to view online and the committee members are advised to view all the planning documents before the planning committee. Whilst the representation letters are summarised this does not lessen the concern raised within the letters with many of the concerns raised within these letters being addressed within the committee report.

4. Additional Representation

An additional representation letter has been received which raises concern in regards the width of the road, on street parking by locals, access concerns for waste collection and emergency vehicles, pedestrians use road due to parking on pavements, increase in vehicle numbers due to development, current parking situation makes pulling out of driveways difficult, turning head at end of Pond Close not useable due to resident parking, development of flats which is out of character of the area. These comments are similar to other representations already summarised and discussed in the case officer's report.

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 8 AUGUST 2012

Councillors Present: Howard Bairstow (Substitute) (In place of Anthony Stansfeld), Jeff Beck, Paul Bryant (Chairman), George Chandler, Hilary Cole, Roger Hunneman (Substitute) (In place of David Allen), Andrew Rowles (Substitute) (In place of Garth Simpson), Julian Swift-Hook and Ieuan Tuck

Also Present: Derek Carnegie (Team Leader - Development Control), Paul Goddard (Team Leader - Highways Development Control), Liz Patient (Solicitor) and Jenny Legge (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor David Allen, Councillor Paul Hewer, Councillor Garth Simpson, Councillor Anthony Stansfeld, Councillor Tony Vickers and Councillor Virginia von Celsing

PART I

11. Minutes

The Minutes of the meeting held on 16 May 2012 were approved as a true and correct record and signed by the Chairman.

The Minutes of the meeting held on 6 June 2012 were approved as a true and correct record and signed by the Chairman, subject to the inclusion of the following amendments:

Item 4(2), page 47, paragraph 5 – Councillor Paul Bryant commented that ‘this was **not** an infill site’ should read ‘this **was** an infill site’.

Councillor Roger Hunneman noted that he had been omitted from the list of attendees and requested that his attendance at the meeting be minuted.

12. Declarations of Interest

Councillors Bairstow, Beck, Chandler, Cole, Hunneman, Rowles, Swift-Hook and Tuck declared an interest in Agenda Item 4(4) but reported that, as their interest was personal and not prejudicial, they determined to remain to take part in the debate and vote on the matter.

Councillor Julian Swift Hook declared an interest in Agenda Items 4(1), 4(2), 4(3) but reported that, as his interest was personal and not prejudicial, he determined to remain to take part in the debate and vote on the matter. He also clarified for Members and the public that he would be using an electronic device for reference to issues at the meeting only.

Councillor George Chandler advised that he had been lobbied on agenda item 4(1).

Councillors Jeff Beck and Howard Bairstow declared an interest in Agenda Items 4(2), and 4(3) and that they had been lobbied on Agenda Items 4(2) and 4(3), but reported that, as their interest was personal and not prejudicial, they determined to remain to take part in the debate and vote on the matter.

WESTERN AREA PLANNING COMMITTEE - 8 AUGUST 2012 - MINUTES

Councillor Ieuan Tuck declared an interest in Agenda Items 4(1), 4(2), and 4(3), but reported that, as his interest was personal and not prejudicial, he determined to remain to take part in the debate and vote on the matter.

13. Schedule of Planning Applications

13(1) Application No. and Parish:12/01051/COMIND - Land To The Rear Of The Swan Inn, Craven Road, Inkpen.

(Councillor Swift-Hook declared a personal interest in Agenda item 4(1) by virtue of the fact that he was a Member of Newbury Town Council and Greenham Parish Council. As his interest was personal and not prejudicial he determined to take part in the debate and vote on the matter).

(Councillor Chandler advised he had been lobbied on this matter).

(Councillor Tuck declared a personal interest in Agenda item 4(1) by virtue of the fact that he was a Member of Newbury Town Council. As his interest was personal and not prejudicial he determined to take part in the debate and vote on the matter).

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 12/01051/COMIND in respect of the development to erect a barn, stables and tack room on land to the rear of The Swan Inn, Craven Road, Inkpen.

In accordance with the Council's Constitution, Dr David Thomas and Mrs Vanessa Tomlinson MBE, Parish Council representatives, Mrs Judith Stock and Mr Nick Barker, objectors, and Mr Tanner, agent, addressed the Committee on this application.

Derek Carnegie introduced the report and informed the Committee that although Craven Road was on the application, access to the site would be via Weavers Lane. He concluded that this was a finely balanced case.

Mrs Tomlinson MBE in addressing the Committee raised the following points:

- Of primary concern was the bulk and height of the proposed barn in open countryside and its proximity to residential properties and a thriving local family business (The Swan Inn).
- The siting and prominent scale of the development would harm the character and amenities of the area.
- The applicant resided in Newbury and would therefore not be on hand should there be problems with horses kept on the site.
- There was stabling available for rent in Inkpen.
- A considerable amount of manure would be kept close to residential properties and would require an increase in the number of vehicles using Weavers Lane in order to remove it from the site at regular intervals.
- Light pollution from security lights would be detrimental to the area.

Dr Thomas in addressing the Committee raised the following points:

- The scale of the proposed barn was too great for the relatively small size of the field (3.2 acres).
- The size of the structure would be harmful to the character of the area and would erode its distinctiveness.
- Access to the site via Weavers Lane, a single track road, was a major issue and was opposed by Inkpen Town Council.

WESTERN AREA PLANNING COMMITTEE - 8 AUGUST 2012 - MINUTES

- The use of heavy vehicles to service the livestock would be detrimental to the condition of Weavers Lane and would compromise the character of Inkpen as a whole.
- Essex Down AONB (Area of Outstanding Natural Beauty) had also objected to the development.

Councillor Beck questioned Mrs Tomlinson as to the nature of the nearby business. She replied that The Swan Inn was a very popular public house, which provided rooms and dining. There was also an organic farm shop. It was frequented regularly by ramblers and others who enjoyed the beauty and tranquillity of the area. A number of local people were employed by the business.

Councillor Swift-Hook enquired if Mrs Tomlinson was concerned the development would impact adversely on the business. She confirmed that she was and commented further that she was especially apprehensive regarding the security lighting. Councillor Swift-Hook observed that conditions could be put in place to restrict the hours of use and methods of operation and asked if this would allay Mrs Tomlinson's concerns. Mrs Tomlinson replied that any conditions applied would not affect the use of lights in winter. However, for there to be no security lighting would bring its own problems.

Councillor Cole asked if Mrs Tomlinson was representing the views of the landlord of The Swan Inn. She replied that she was not.

Councillor Tuck enquired if Mrs Tomlinson was concerned about the increase in lorries visiting the site and if she was aware of how many there would be and of what size. She confirmed that she was concerned as at the site meeting between residents and the father of the applicant, it was suggested there would be a lot of vehicular movement in order to remove manure and bring hay to the site, which had since been retracted. However she could not be precise as to the number and size of the vehicles.

Dr Thomas interjected that there were two other roads used for the movement of five or six horses and the heavy vehicles required for this purpose had eroded the banks and contributed to the creation of potholes in the surface of the road.

Councillor Bairstow asked if other people had hay delivered by large vehicles. Dr Thomas confirmed this was the case, however they did not use Weavers Lane. Councillor Bairstow further enquired as to the current use of the land. Dr Thomas understood that it had been used to graze sheep when it was part of Vale Farm, but had been unused since its sale to the applicant approximately a year ago.

The Chairman requested clarification on Dr Thomas' point as to available stabling in the Inkpen area. Dr Thomas replied that some people, due to the economic situation, had fewer horses and therefore there was space available for rent in their stables. He believed the stabling for the applicant's horses was currently being rented on the Ham Road.

Councillor Bairstow observed that these stables would have on site supervision.

Mrs Judith Stock in addressing the Committee raised the following points:

- The main concern was the effect on the character of the area and the appearance in relation to the North Wessex AONB.
- In the March 2012 appeal dismissal decision, the area had been recognised for its 'loose linear settlements' with the open space and fields contributing to its distinctiveness.
- The residents considered the scale of the barn out of keeping with the size of the field and the number of horses, when compared to Vale Farm.

WESTERN AREA PLANNING COMMITTEE - 8 AUGUST 2012 - MINUTES

Vale Farm	Proposed barn site
14 acres	3.25 acres
4 horses	3 horses
32 m ² barn area	150 m ² barn area
82 m ³ storage	682 m ³ storage

- The proposed barn was double the height of the existing barn.
- The residents understood that the access to the site would have to be altered, with the banks being cut into and the hedges destroyed.

Mr Barker in addressing the Committee raised the following points:

- He drew the Members attention to ENV29 which was in favour of stabling, but the conditions set by this policy had not been complied with for this development.
- He noted that the previous application had been refused due to the scale and siting of the buildings and asserted that the property would be overpowering to the area and the access would cause danger to road users.

Councillor Swift-Hook asked for clarification as to the amount of feed required and the size of barn needed to accommodate this. Councillor Bryant noted that it was understood that there were to be two deliveries of hay a year and enquired if the size of the barn was reasonable for this low number. Mrs Stock commented that Vale Farm's barn held enough hay for four horses and was considerably smaller than the one being proposed.

Mr Tanner in addressing the Committee raised the following points:

- He commented that the site meeting had been called at short notice and therefore, the applicant and himself had been unable to attend, with the applicants father attending in their stead. The father had not been apprised of all the relevant details and had made incorrect statements regarding the movement of traffic on the site.
- The size of the barn was to accommodate two deliveries of hay per year and to house a tractor and farm equipment. Vale Farm had several buildings on site, whereas one building was being proposed on this application.
- The property on the opposite side of the road was 80m away. The nearest property was 130m away and the Swan Inn was 150m away. The proposed barn would be 7m lower than the pub and would therefore not impact on the views from that property.
- In the previous application it was suggested that the barn be sited at the bottom of the field and this has been done in the new application.
- Waste disposal would be either weekly or two weekly. The applicant was open to this being conditioned.
- He believed there would be no increase in traffic movements, as a vehicle had been used previously to attend to the sheep at least once a day.
- There were 40 sheep on the site previously, with no resulting pollution.
- He considered the distance of the barn from neighbouring properties sufficient to nullify the impact from the security lights. However, the applicant understood that this might need to be conditioned.

WESTERN AREA PLANNING COMMITTEE - 8 AUGUST 2012 - MINUTES

- The existing access would be used and therefore the existing banks and hedgerows would not be affected. The applicant would agree to any landscaping conditions requested.
- He observed that there was already an amount of farm traffic on Weavers Lane and noted that there would be no extra traffic should this application be approved.

Councillor Cole asked if a horse trailer would be kept on site. Mr Tanner understood that once the horses had been taken to the field the trailer would not remain on site. Councillor Cole inquired if Mr Tanner, who was an architect, was aware of the size of an average family home. Mr Tanner confirmed it was approximately 200m².

Councillor Chandler requested confirmation that the dimensions of the proposed barn were the same as the previous refused application. Mr Tanner stated that the height had been reduced by 500mm, but the footprint was the same.

Councillor Bryant queried what would be stored in the proposed barn. Mr Tanner reiterated that a tractor, horse jumps and other farm equipment in addition to the hay would be kept in the barn.

The Chairman asked if the security lights would be those triggered by movement. Mr Tanner confirmed this was the case, in order to cause minimal disturbance.

Councillor Rowles commented that this was a finely balanced case, as suggested by Derek Carnegie, and although he usually supported agricultural applications, he felt the appeal inspector's assessment in respect of the previous application was correct in his decision and was therefore unable to support this application.

Councillor Cole asked Councillor Chandler; in his experience how much hay a horse would consume. Councillor Chandler answered that at the most, during winter, it would be half a bale a day. Councillor Cole conjectured that as the barn was 150 m² and Mr Tanner had suggested an average house was 200m²; there might be a request to change to residential use in the future. Derek Carnegie noted that each application should be considered for its own merits and there should not be speculation as to what would happen in the future.

Councillor Bryant observed that it was a typical barn building and it would not be easy to convert into a dwelling.

Councillor Swift-Hook summed up the points that had been made during the discussion and concluded that he supported the application. He proposed that the application be granted. Councillor Beck seconded the proposal.

Councillor Chandler observed that this was a popular form of application in the countryside and was sympathetic to the applicant as the presence of horses added to the character of villages. However he would not be supporting the application in this case due to the scale of the development.

In considering the above application Members voted against the proposal.

The Chairman asked Derek Carnegie to comment on the impact of the proposed building on the AONB. Derek Carnegie confirmed that the development would be considered satisfactory. He concluded that Officers had to take a view with regards to the demands of policy and it was for Members to make decisions with a view to localism and other considerations.

Councillor Cole proposed that the application be refused. Councillor Rowles seconded the proposal.

RESOLVED that the Head of Planning and Countryside be authorised to **REFUSE** planning permission contrary to Officer's recommendation for the following reason:

WESTERN AREA PLANNING COMMITTEE - 8 AUGUST 2012 - MINUTES

1. The scale, bulk and massing of, in particular, the proposed barn would result in an imposing and overbearing impact on the character and appearance of the area. The barn, and associated structures, would be visible through the gaps in the existing vegetation in a field of approximately 1.5ha that is essentially open apart from boundary vegetation. The field is part of the local landscape framework of vegetation and space that contributes to the looseness of the settlement pattern and the distinctiveness of the setting's rural character. The proposed development would be to the detriment of the character and appearance of the area located within the North Wessex Downs Area of Outstanding Natural Beauty. The Inkpen Village Design Statement recognises that 'local roads pass between substantial hedges of alongside woodland' and that 'these factors perhaps more than any others contribute to the rural character of the village and much-valued sense of remoteness felt by residents'. (Section 7.1, p17). As such the application is considered to run contrary to Policy ENV29 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 as well as the Inkpen Village Design Statement. In addition the proposal would run contrary to the North Wessex Downs AONB Management Plan 2009 - 2014, Policies CC6, C3 and BE5 of the Regional Spatial Strategy for the South East of England 2009 and Policies ADPP1, ADPP5, CS12, CS13, CS14, CS19 of the West Berkshire Core Strategy 2006 - 2026.

13(2) Application No. and Parish:12/01164/FULD - Land Adjoining 11 Pond Close, Newbury.

(Councillors Swift-Hook, Beck and Tuck declared a personal interest in Agenda item 4(2) by virtue of the fact that they were Members of Newbury Town Council (and Greenham Parish Council in the case of Councillor Swift-Hook). As their interest was personal and not prejudicial they determined to take part in the debate and vote on the matter).

(Councillors Beck and Bairstow advised they had been lobbied on this matter).

(Councillor Swift-Hook left the meeting at 7.30pm).

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 12/01164/FULD in respect of the construction of 8no.1 bedroom flats together with external works on land adjoining 11 Pond Close, Newbury.

In accordance with the Council's Constitution, Councillor Anthony Pick, Parish Council representative, and Rachel Reeve, objector, addressed the Committee on this application.

Derek Carnegie introduced the report and informed the Committee that the site was under private ownership and could be fenced off at any time. He concluded that this was not a clear cut decision, but on balance the Officers felt it was an acceptable proposal.

Councillor Bryant commented that Sovereign Housing had a partner who would use the site to provide assisted living flats. Derek Carnegie confirmed that the flats would not be sold on the open market and that the Council supported mixed communities. The Chairman enquired if this was part of the conditions. Derek Carnegie confirmed that it was, but that conditions were open to challenge.

Councillor Anthony Pick in addressing the Committee raised the following points:

- Newbury Town Council strongly opposed this application and disagreed with the Highways Officer's recommendation.
- They did not consider it to be in the best interests of the existing residents.
- Pond Close was narrow and curving, where it was difficult and sometimes impossible for two cars to pass.

WESTERN AREA PLANNING COMMITTEE - 8 AUGUST 2012 - MINUTES

- Lack of off street parking, led to residents using the pavements for parking.
- Waste and emergency vehicles had difficulty in reaching all the properties.
- The hard standing area was used as an essential resource for parking and turning and to remove it would degrade the quality of life of the residents.
- These problems would also affect application no: 12/01319.
- The estate had 114 dwellings per hectare and therefore more than prescribed in the core strategy.
- Only 6 car parking spaces were to be provided for 8 flats.
- The amenity space for the flats was too small.
- Sovereign Housing had not adequately consulted with the residents.

Councillor Cole asked if Mr Pick had borne in mind that the site was privately owned and if he knew if those in supported living were car users. Mr Pick considered that closing off the area would be detrimental to the residents. He was not as concerned with the number of car parking spaces for the proposed residents, but was concerned by the effect on amenities for current residents.

Councillor Bairstow enquired if residents regularly parked on the pavement. Mr Pick confirmed this was the case. People were forced to walk in the road as the footways were impassable. Councillor Bairstow continued that houses had been built to the south of the estate and to the north and this had increased the amount of traffic in the area.

Mr Pick noted that utilities were sited under the front lawns of the properties and made it impossible for residents to install off road parking; any development would therefore impact on the infrastructure of the estate.

Councillor Bairstow observed that the estate had been developed in the past by Sovereign Housing and, in his opinion, they were now proposing to make it more dangerous and overdeveloped.

Rachel Reeve in addressing the Committee raised the following points:

- Due to the shape of the road, visibility for drivers was already poor.
- There was no car parking outside the Close.
- The hard standing area was the only space for passing and turning vehicles.
- The entrance to the road was very narrow. If the residents were to lose the hard standing area they would be forced to park at the entrance to the road, therefore impeding other vehicles.
- The lay-by proposed would be ineffective as cars would not be able to progress as far as the development.
- The occurrence of vehicles driving on the pavement would increase and therefore make the situation more dangerous.
- It had been suggested that the Council could use smaller waste vehicles, but the availability of these vehicles had not been confirmed.
- The Fire Service had been consulted, however they were unable to comment on individual planning applications. They did confirm that time wasted moving cars would cost lives.
- The average car ownership of current residents was two cars per household.

WESTERN AREA PLANNING COMMITTEE - 8 AUGUST 2012 - MINUTES

- The residents acknowledged that car ownership might be lower for those in supported living, however they would be visited by family, friends or carers who had vehicles.
- The area was prone to flooding and residents were concerned the development would exacerbate the problem.
- Residents questioned where equipment and materials would be stored during the development and the impact a building site would have on an already unsatisfactory situation.

Councillor Hunneman asked to see a copy of the photos taken by the residents which had been circulated electronically earlier. Rachel Reeve brought the Committee's attention to the access via Elizabeth Avenue; it was a sharp bend, leading into a blind bend and then curling round Pond Close. Councillor Hunneman commented that it was already congested. Rachel Reeve confirmed that it was.

Councillor Beck enquired how many houses were owned by Sovereign House in the Close and how many were privately owned. Rachel Reeve estimated that there were 20 houses in Pond Close and of these five or six were owned by Sovereign and the rest were privately owned.

Councillor Tuck requested confirmation as to how refuse was currently collected. Rachel Reeve explained that the waste vehicle reversed from Elizabeth Avenue and reached the point near to the proposed development, but could get no further.

Councillor Beck noted that Sovereign Housing's own residents would be deprived of parking if the development were to go ahead.

Councillor Adrian Edwards in addressing the Committee raised the following points:

- The current houses had been built in the 1950's without parking spaces, with the services routed under the front lawns.
- The proposal to widen the road outside the development by 0.2m would not resolve the situation.
- Access for refuse vehicles and emergency vehicles would be greatly impeded.
- Under normal provision, six parking spaces would be too few for eight flats.
- Access to public transport was poor with no buses after 19.30hrs or Sundays; residents would therefore require their own transport.
- It was a measure of the depth of feeling that out of the 49 people on the electoral roll for Pond Close, there have been 21 letters of objection.

The Chairman asked Paul Goddard if the road was narrower than a standard highway. Paul Goddard confirmed that the road was only 3.9m in places. Councillor Bryant further enquired how narrow a road had to be before it was considered inadequate. Paul Goddard answered that this was conditional on other constraints. He confirmed that the road would be widened to 4.1m in front of the development to allow two cars to pass; traffic problems existed in the area, but he conjectured that the development would not worsen them.

Councillor Hunneman disagreed strongly with this statement and had great sympathy for the residents. He felt that the area was too congested and that the new buildings were placed nearer to the road than the other properties.

Councillor Hunneman proposed that the application be refused. Councillor Beck seconded the proposal.

WESTERN AREA PLANNING COMMITTEE - 8 AUGUST 2012 - MINUTES

Paul Goddard observed that it had been difficult to assess the application. The three main areas of concern had been:

- Loss of car parking for the road
- The provision of car parking for the development
- Access for larger vehicles

He reiterated that the area was under private ownership and could be fenced off at any time. He had also to consider how the decision would be defended at appeal. Sovereign Housing's partner had submitted data that showed only 22% of residents of assisted living properties owned cars. Research suggested that even when taking visitors into consideration six spaces would be sufficient. Existing problems would continue with access for larger vehicles. He felt there would be some difficulty in defending a decision at appeal.

The Chairman commented that there was no mention of the houses being for assisted living in point 6.4.5 and enquired if this was an error of omission. Paul Goddard confirmed that it was. Councillor Bryant continued that in normal circumstances the level of car parking provision would be too few. Paul Goddard confirmed that this was the case. Councillor Bryant requested that the need for these properties to be assisted living premises should be conditioned.

Councillor Cole commented that she was disappointed that the applicant/agent had not attended this meeting. She further considered that there had been inadequate consultation with residents.

Councillor Beck echoed Councillor Cole's concerns.

Councillor Bairstow observed that Sovereign Housing had not contested residents parking in the area. He speculated that in some cases if an area was used continuously for a period of time, it became a public road. Liz Patient advised that it did not appear the legal criteria for the dedication of land as a public right of way would be satisfied in this instance.

Derek Carnegie ventured that Officers had felt that on balance the proposal was satisfactory.

Councillor Rowles acknowledged that houses for assisted living were required, however the access was not, in his opinion, adequate. He was concerned as to whether refusal of the application could be defended at appeal.

RESOLVED that the Head of Planning and Countryside be authorised to **REFUSE** planning permission contrary to Officer recommendation for the following reason:

1. The proposed development would result in a detrimental impact on the character and appearance of the area and the general amenities of the local residential area as a result of the overdevelopment of the site. Furthermore the proposal would provide inadequate amenity provision for the new dwellings. As such the application is considered to run contrary to Policy HSG1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 and Supplementary Planning Document SPD: Quality Design, Part 2 Residential Development as well as the Newbury Town Design Statement. In addition the proposal would run contrary to the Policies CC6 and BE2 of the Regional Spatial Strategy for the South East of England 2009 as well as Policies ADPP1, ADPP2, CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026.

13(3) Application No. and Parish:12/01177/FULD - Land Adjoining 19 Wilmot Walk, Newbury

WESTERN AREA PLANNING COMMITTEE - 8 AUGUST 2012 - MINUTES

(Councillors Swift-Hook, Beck and Tuck declared a personal interest in Agenda item 4(3) by virtue of the fact that they were Members of Newbury Town Council and Greenham Parish Council in the case of Councillor Swift-Hook. As their interest was personal and not prejudicial they determined to take part in the debate and vote on the matter).

(Councillors Beck and Bairstow advised they had been lobbied on this matter).

The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 12/01177/FULD in respect of the proposed new two-bedroomed house sited in garden of existing end terraced house on land adjoining 19 Wilmot Walk, Newbury.

In accordance with the Council's Constitution, Councillor Anthony Pick, Parish Council representative, and Mr Nigel Collins, objector, addressed the Committee on this application.

Derek Carnegie introduced the report and commented that this was again a finely balanced conclusion that Officers felt needed the collective wisdom of the Committee in order for it to be resolved. Officers considered the development to be satisfactory, but were able to understand the concerns raised.

Councillor Beck requested clarification of the point made in the report that no.19 did not have a car parking space within its curtilage. Derek Carnegie confirmed that this was correct, however a garage was owned nearby on the estate. Liz Patient confirmed that the garage was owned by the applicant.

Mr Anthony Pick in addressing the Committee raised the following points:

- The main concern was that cars exiting no.19 and the proposed new house, especially when reversing, would cause a hazard to those exiting Blossom Field and using Stapleton Close.
- The area alongside no.19 was currently used by residents for on street parking.
- The addition of the new house to the end of the terrace would create an imbalance in the street scene. It was requested that the new house be identical to the old terrace

The Chairman enquired if the design was contrary to the Town Design Statement. Mr Pick was unable to answer.

Councillor Hunneman commented that there was no off street parking in the area, but all houses had a garage. Mr Pick confirmed that this was the case for Wilmot Walk and Stapleton Close.

Councillor Bryant asked if it was possible to have an identical house built. Derek Carnegie explained this would be an unreasonable request due to the age of the existing development, but that the condition would ask for the developer to 'match existing materials'.

Mr Collins in addressing the Committee raised the following points:

- He was concerned about the proximity of the parking spaces within the curtilage of the property to his residence at no.17. He noted that the gardens were very small and was apprehensive about the noise and pollution that would be caused by three vehicles.
- He was anxious about the safety of pedestrians leaving Blossom Field.

Councillor Hunneman enquired how many entrances there were to Blossom Field. Mr Collins replied there were several, but this was the most heavily used. Councillor Hunneman further questioned how many people used the open space. Mr Collins replied

WESTERN AREA PLANNING COMMITTEE - 8 AUGUST 2012 - MINUTES

that this was difficult to judge and varied with the weather and seasons, however it was used by young families and children regularly.

Councillor Edwards in addressing the Committee raised the following points:

- The eastern aspect of the development reached the pavement.
- The new build would be very small.
- The additional house affected the balance to the street scene and the terrace.
- There was an existing lack of provision for on street parking and the removal of the spaces to the side of no.19 would create more congestion.
- The entrance to Blossom Field would become a dangerous area for small children.
- A previous application was refused as it would 'not improve the appeal of the estate'.

Councillor Bryant commented that from the plans the house looked to be the same size as the rest of the terrace. Derek Carnegie confirmed it was the same footprint. The Chairman noted that the shape and siting of the front door and windows did not match the existing terrace. Derek Carnegie reiterated that it was difficult to replicate an existing development, however Officers felt there was enough similarity in design to warrant acceptance.

Councillor Hunneman was extremely concerned for the safety of those using Blossom Field and the potential for accidents. He had seen other similar applications and noted that the estates had been designed to have open spaces. He felt the reason for refusal in 1984 was still valid.

Councillor Hunneman proposed the application be refused. Councillor Beck seconded the proposal.

Councillor Bryant was concerned by the idea of tandem parking and asked Paul Goddard if this was common practice. Paul Goddard confirmed that it was when relating to the same property. He also explained that condition 101 allowed for the removal of a fence to open up lines of sight for pedestrians on the footway.

RESOLVED that the Head of Planning and Countryside be authorised to **REFUSE** planning permission, contrary to Officers recommendation for the following reason:

1. The proposed development would result in a detrimental impact on the character and appearance of the area and the general amenity and safety of the local residential area as a result of the overdevelopment of the site and its location adjacent to a public open space. As such the application is considered to run contrary to Policy HSG1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 and Supplementary Planning Document SPD: Quality Design, Part 2 Residential Development as well as the Newbury Town Design Statement. In addition the proposal would run contrary to the Policies CC6 and BE2 of the Regional Spatial Strategy for the South East of England 2009 as well as Policies ADPP1, ADPP2, CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026.

13(4) Application No. and Parish:11/02029/FULD - 22 Priory Avenue Hungerford

(Councillors Bairstow, Beck, Chandler, Cole, Hunneman, Rowles, Swift-Hook and Tuck declared a personal interest in Agenda item 4(4) by virtue of the fact that they were the applicant's fellow Members of West Berkshire Council and Western Area Planning

WESTERN AREA PLANNING COMMITTEE - 8 AUGUST 2012 - MINUTES

Committee. As their interest was personal and not prejudicial they determined to take part in the debate and vote on the matter).

(Councillors Swift-Hook, Beck and Tuck also declared a personal interest in Agenda item 4(4) by virtue of the fact that they were Members of Newbury Town Council (and Greenham Parish Council in the case of Councillor Swift-Hook). As their interest was personal and not prejudicial they determined to take part in the debate and vote on the matter).

The Committee considered a report (Agenda Item 4(4)) concerning Planning Application 11/02029/FULD in respect of the separation of a two storey extension to form a separate dwelling at 22 Priory Avenue Hungerford.

In accordance with the Council's Constitution Mrs Hewer and Mr David Small, applicant/agent, addressed the Committee on this application.

Derek Carnegie introduced the report.

The Chairman asked for clarification as to the consequences of the Committee's decision. Derek Carnegie explained that if the Committee granted an extension to the S106 deadline, a guillotine date could be set which, when reached, would refuse the application under delegated powers. He stressed the point that when application timescales slipped by a considerable amount of time, Officers were usually strict in their enforcement. The applicant would then return with a fresh application and would hopefully have had the time to resolve any issues without wasting further Officer or Committee time.

Mr Small in addressing the Committee raised the following points:

- He had copies of the signed s106 agreements, however the Halifax was refusing to authorise their release.
- £5000 had already been set aside in a third party account to pay the s106 fees.
- He believed that they were close to resolving the problem and requested an extension.
- The property to be split, was currently occupied by the son of Mr and Mrs Hewer, however the utilities were not separate. This could only be achieved when all agreements were in place and the houses had been split.

Councillor Beck enquired as to what length of extension was required and if Mr Small was confident of success. Mr Small replied that he felt he was 60-70% sure it could be completed within two months.

Councillor Cole asked if the agent had kept the Planning department informed of the situation. He confirmed that he had.

Councillor Bryant asked Derek Carnegie how often this situation occurred. Derek Carnegie explained that it did not happen on a regular basis. The Chairman further enquired how this situation had been dealt with in the past. Derek Carnegie responded a firm line was usually taken, but that a phrase 'or, where appropriate, at a later time' was sometimes used if the end date was a Friday to allow a small amount of flexibility. However, this was a unique circumstance and it would be practical and sensible to allow two months extension.

Councillor Bryant asked if it impacted on the work load of the Planning department if the extension was one month or six. Derek confirmed that work was still carried out even when an agreement was pending.

Councillor David Holtby in addressing the Committee raised the following points:

WESTERN AREA PLANNING COMMITTEE - 8 AUGUST 2012 - MINUTES

- This was a technical matter, the funds were in place. There had been difficulties in the communication channels between the solicitor and the Halifax.
- The applicant had not attempted to procrastinate or delay and had made every endeavour to progress the situation.

Councillor Rowles empathised with the applicant and asked if two or three months would be sufficient.

Councillor Bryant asked Derek Carnegie what was usually allowed for a new application. Derek Carnegie confirmed the timescale was usually two months.

Councillor Beck proposed that the applicant be given three months to get the paperwork in place and suggested the phrase be added to ease flexibility.

The Chairman enquired if this would set a precedent. Derek Carnegie accepted that this may cause problems in the future, but this was a rare occurrence.

Councillor Cole observed that this was a difficult decision as the application was not approved until the s106 was in place. She understood the circumstances, but was concerned that policies and processes should be observed.

Liz Patient informed the Committee that this was not an uncommon situation in the current economic climate, as mortgage lenders were more sensitive to risk. She was sympathetic, but explained to the Committee that the handling of this application did set a precedent and it was important to set and keep time limits in the interests of fairness to other developers who had worked to achieve the timescales set down by the Council. As the applicant was a Councillor any further extensions could be interpreted as showing preferential treatment, particularly as the Council had already allowed the issue to remain unresolved for over six months already. She strongly advised against another extension as other developers in a similar situation had not been given the same leeway.

Councillor Rowles expressed the view that this was an exceptional case and so deserved the extension.

Councillor Hunneman enquired what would happen if the Committee refused the application. Derek Carnegie confirmed that the house could still be occupied and nothing practically would change. However, it could not be split and they would need to re-apply.

Councillor Rowles proposed an extension of three months. Councillor Beck seconded the proposal.

RESOLVED that the Head of Planning and Countryside be authorised to **GRANT** planning permission with the period to complete the s106 agreement extended by 3 months.

14. 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

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WESTERN AREA PLANNING COMMITTEE ON 03/11/2021

UPDATE REPORT

Item No: (2) **Application No:** 21/02022/CERTE **Page No.** 21-29
Site: Land at Coldborough Hill, Eastbury, Hungerford

Planning Presenting: **Officer** Cheyanne Kirby

Member Presenting:

Parish speaking: **Representative** N/A

Objector(s) speaking: N/A

Supporter(s) speaking: N/A

Applicant/Agent speaking: N/A

Ward Member(s): Councillor Howard Woollaston

Update Information:

1. Ward Member

The front sheet within the committee report for application 21/02022/CERTE contains the incorrect ward member details the correct ward member for this area is Councillor Howard Woollaston.

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Agenda Item 4.(3)

WESTERN AREA PLANNING COMMITTEE 3 NOVEMBER 2021

UPDATE REPORT

Item No: (3) **Application No:** 20/02922/FUL **Page No.** 31 - 52

Site: 39 Newbury Street, Lambourn, RG17 8PB.

Planning Officer Presenting: Simon Till

Member Presenting: N/A

Parish Representative speaking: N/A

Objector(s) speaking: Louise Wilkin Via Zoom

Supporter(s) speaking: N/A

Applicant/Agent speaking: N/A

Ward Member(s): Cllr Howard Woollaston

Update Information:

No further update.

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