

# Notice of Meeting

## Western Area Planning Committee

**Wednesday, 13th November, 2013 at 6.30 pm**

in Council Chamber Council Offices  
Market Street Newbury

### **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, 5 November 2013

### **FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC**

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](mailto:planapps@westberks.gov.uk)

Further information, Planning Applications and Minutes are also available on the Council's website at [www.westberks.gov.uk](http://www.westberks.gov.uk)

Any queries relating to the Committee should be directed to Jenny Legge on (01635) 519441 / 503043 / 5031 Email: [ewalker@westberks.gov.uk](mailto:ewalker@westberks.gov.uk) / [jlegge@westberks.gov.uk](mailto:jlegge@westberks.gov.uk) / [jcollett@westberks.gov.uk](mailto:jcollett@westberks.gov.uk)



West Berkshire  
COUNCIL

**Agenda - Western Area Planning Committee to be held on Wednesday, 13 November 2013 (continued)**

**To:** Councillors David Allen, Jeff Beck, Paul Bryant (Chairman), George Chandler, Hilary Cole, Paul Hewer, Roger Hunneman, Garth Simpson, Anthony Stansfeld, Julian Swift-Hook, Ieuan Tuck and Virginia von Celsing (Vice-Chairman)

**Substitutes:** Councillors Howard Bairstow, Adrian Edwards, Mike Johnston, Gwen Mason, Andrew Rowles and Tony Vickers

---

# Agenda

## Part I

Page No.

(1) **Application No. and Parish:13/01795/FULD - Western End, Newbury** 1 - 6

**Proposal:** Proposed sub-division of 21 Western End, Newbury from a 3 bedroom house to two 1 bedroom apartments. Minor alterations to 21A and 21B. Erection of two 1 bedroom apartments on land at rear of 21, 21A and 21B Western End and to be provided with private amenity and parking.

**Location:** 21, 21A and 21B and Land at Western End, Newbury

**Applicant:** Mr A Butler

**Recommendation:** To **DELEGATE** to the Head of Planning and Countryside to **REFUSE** 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.

Andy Day  
Head of Strategic Support

**Agenda - Western Area Planning Committee to be held on Wednesday, 13 November 2013 (continued)**

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

This page is intentionally left blank

# Agenda Item 4.(1)

## WESTERN AREA PLANNING COMMITTEE ON 13<sup>TH</sup> NOVEMBER 2013

### UPDATE REPORT

Item No: (1) Application No: 13/01795/FULD Page No. 21-30

Site: 21, 21A and 21B and Land at Western End, Newbury

---

Planning Officer Derek Carnegie  
Presenting:

Member Presenting:

---

Parish Representative Councillor Mr Kim Hodges  
speaking:

Objector(s) speaking: Mr Anthony Pick – Newbury Society

Supporter(s) speaking: Mr Martin Kavanagh

Applicant/Agent speaking: Mr Andy Butler  
Mr Chris Strang

Ward Members: Cllr G. Mason  
Cllr Dr. A. J. M Vickers

Update Information:

#### Letter of Support

A letter of support has been received from Martin Kavanagh who is a Property Manager at Regent Lettings who are based in Newbury. The letter states:

*I am writing to advise you I would strongly support this application to provide much needed small dwellings in our town. I wish to inform you that tenant demand for rented accommodation in Newbury consistently outstrips supply in the entry level sector by a factor of 3 to 1. Therefore, in view of the quality of the proposed works we would anticipate being able to source suitable tenants for all the apartments immediately the proposed development is handed over from the developer. We would also note this application looks to be complimentary to the objectives of the overall housing strategy for our town.*

*This seems to be a good proposal to better utilise this parcel of land, and I feel it would be a lost opportunity not to progress this reasoned and pre-qualified application to provide much needed affordable accommodation in the town centre. The potential of the development would give at least four young professionals the opportunity of living in the town, walking or cycling to their place of work and potentially spending their income to support the local Newbury economy.*

### **Affordable Housing Provision**

The case officer has today been made aware of an email circulated by Cllr Dr Vickers which states that the applicant intends to make a unilateral offer to have one of the units conditioned as social housing. A query has therefore been raised as to why this matter has not been addressed within the case officer's report.

There is no mention within the application documents of the applicant's intention to enter into such an agreement and the matter has never been raised with the case officer. The Design and Access Statement submitted with the application states:

*I, Mr A Butler agree to enter into a Unilateral Undertaking with the Local Authority with reference to s106 payments required for this development and also agree to pay £495 as local contribution to the local amenity area of St George's Avenue.*

DC

---

# Appeal Decision

Site visit made on 13 May 2013

by David Wildsmith BSc(Hons) MSc CEng MICE FCIHT MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 31 May 2013

---

**Appeal Ref: APP/W0340/A/13/2191214**

**21, 21A and 21B and land at Western End, Newbury, Berkshire, RG14 5NT**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr A Butler against the decision of West Berkshire Council.
- The application Ref 12/01259/FULD, received by the Council on 18 May 2012, was refused by notice dated 18 July 2012.
- The development proposed is sub-division of 21 Western End, Newbury from a 3-bedroom house to 2 1-bedroom apartments, minor alterations to 21A and 21B and 2 new 1-bedroom apartments attached to 21A and 21 B Western End and provided with private amenity and parking.

---

## Decision

1. I dismiss the appeal.

## Main issues

2. The main issues are the effect of the proposal firstly, on the character and appearance of the surrounding area; and secondly, on the living conditions of future residents with particular reference to the amount of private amenity space to be provided.

## Reasons

### *Effect on character and appearance*

3. The appeal relates to an existing 3-bedroom dwelling (21 Western End) and 2 adjoining 1-bed apartments (21A and 21B), located within an established residential area. I understand that these 2 apartments have been created within an extension to the 3-bed dwelling granted planning permission around 2005. Under the appeal proposal the existing 3-bed dwelling would be sub-divided to provide 2 1-bed apartments, and a new 2-storey, pitched roof building would be erected to the south-east of Nos 21A and 21B to provide 2 further 1-bed apartments.
4. Five parking spaces would be provided on the gravelled area to the west of Nos 21, 21A and 21B and I saw at my inspection that an extended dropped kerb has already been provided to serve these spaces. A sixth parking space, for one of the new 1-bed units would be sited adjacent to the proposed new building, alongside the backway which links Western End to Craven Road.
5. The new 2-storey building would be sited in a prominent location, very close to the back of the footway, forward of adjacent development and immediately abutting the aforementioned backway. This would result in an obtrusive form of

development, out of keeping with the general layout of development in the immediately surrounding area and giving a cramped feel to this part of Western End and the southern end of the backway.

6. I acknowledge that there are a few properties in one of the nearby roads, Braunfels Walk, which are sited fairly close to the back of the footway, but I formed the view at my site visit that such dwellings are part of the original layout of the area. Moreover, being well-landscaped they do not appear prominent or intrusive within the street scene.
7. Similarly, I saw that in nearby Parsons Close there are several properties which directly abut the back of the footway although this, again, seemed to me to be part of the original layout of the area. In my opinion these buildings appear rather prominent and obtrusive within the street scene and, as such, I am not persuaded that they lend any material weight to the appeal proposal.
8. I have noted the Council's concerns that with 6 separate dwelling units on this relatively compact space, the intensity of development and the associated comings and goings of people and vehicles would create a different form and nature of development to the more normal 2 and 3-bed dwellings in the locality. However, whilst this may well be the case, no firm evidence has been submitted to suggest that this increased activity would be so significant as to be unacceptable in what appeared to me to already be a relatively densely populated area.
9. But notwithstanding my favourable findings on this latter point, my overall conclusion on this first main issue is that the form, siting and scale of the proposed new building would result in a cramped form of development which would have a harmful visual impact on the character and appearance of the surrounding area.
10. As such the proposed development would be at odds with policy CS14 of the adopted West Berkshire Core Strategy and also with saved policy HSG1 of the West Berkshire Local Plan, both of which require new development to be of high quality design and respect the existing residential nature and character of the area. By amounting to an uncoordinated form of infill development the proposal would also be in conflict with the guidelines set out in the Council's Supplementary Planning Document (SPD) dealing with Quality Design.

#### *Effect on living conditions*

11. The submitted plans indicate that the building proposed to contain the new apartments numbered 21C and 21D would be constructed to the east of Nos 21A and 21B. In effect this would take up what could otherwise be used as private amenity space for these latter units. As a result the amenity space to be shared by all 6 proposed units would be what appears to be currently the rear garden area of No 21, extended a little to the rear of Nos 21A and 21B. This overall area would provide enclosed cycle storage and an area for recycling and waste bins but would mean that there would only be some 75sqm of private amenity space in total to serve all 6 apartments.
12. I have noted the appellant's contention that this would be supplemented by space to the side of the properties and the buffer zones to the front of the new-build element, but these areas would not be private and cannot, in my opinion, be seen as adding meaningfully to the 75sqm referred to above. As the Council's aforementioned SPD provides a guideline figure of 25sqm for each 1 or 2-bed

apartment, it seems to me that the dwelling units proposed here would be significantly under-provided with private amenity space. This would be likely to result in poor living conditions for future residents and, as such would amount to poor design which would fail to make a positive contribution to the quality of life, as sought through Core Strategy policy CS14.

*Other matters*

13. A further Council reason for refusal related to the absence of an appropriate scheme of works of off-site mitigation measures aimed at accommodating the impact of the proposed development on the local infrastructure, services and amenities, in accordance with Core Strategy policy CS5. The Council has identified that in accordance with this policy the development would have an impact on highway services/infrastructure, libraries, health services and Adult Social Care. The Council has provided details of the contributions it is requesting and there is nothing before me to suggest that these contributions are not justified, or that they would not accord with the requirements set out in paragraph 204 of the Nation Planning Policy Framework or Regulation 122 of the Community Infrastructure Levy Regulations.
14. The appellant has made it quite clear in his grounds of appeal that he would be willing to enter into an agreement under S106 of the Town and Country Planning Act 1990, to make the requested contributions. But as no such agreement has been placed before me, the absence of the necessary contributions is a further matter which weighs against this proposal.

**Conclusion**

15. Taking all the above points into account it is my overall conclusion that this proposal is not acceptable. I have had regard to all other matters raised, but they are not sufficient to outweigh the considerations which have led me to my conclusion.

*David Wildsmith*

INSPECTOR

