

# DRAFT

Note: These Minutes have been amended. Please see Minutes of 13 March 2019 for amendments.

## WESTERN AREA PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD ON WEDNESDAY, 30 JANUARY 2019

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

**Also Present:** Derek Carnegie (Team Leader - Development Control), Paul Goddard (Team Leader - Highways Development Control), Gemma Kirk (Planning Officer), Jo Reeves (Principal Policy Officer) and Matthew Shepherd (Planning Officer)

**Apologies for inability to attend the meeting:** Councillor Dennis Benneyworth and Councillor James Cole

#### PART I

#### 37. Minutes

The Minutes of the meeting held on 12 December 2018 were approved as a true and correct record and signed by the Chairman.

#### 38. Declarations of Interest

Councillor Billy Drummond declared an interest in Agenda Item 4(1), and reported that, as his interest was an disclosable pecuniary interest or a other registrable interest, he would be leaving the meeting during the course of consideration of the matter.

Councillor Jeff Beck, Adrian Edwards and Anthony Pick declared an interest in Agenda Item 4(1), 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.

#### 39. Schedule of Planning Applications

##### (1) Application No. and Parish: 18/03144/FUL - Newbury

*(Councillor Billy Drummond declared a personal and prejudicial interest in Agenda Item 4(1) by virtue of the fact that he was a Trustee of the St Bartholomew's Charitable Foundation. As his interest was a other registrable interest, he would be leaving the meeting during the course of consideration of the matter and would take no part in the debate or voting on the matter.)*

*(Councillors Jeff Beck and Anthony Pick declared a personal interest in Agenda Item 4(1) by virtue of the fact that they were Members of Newbury Town Council's and the Planning and Highways Committee. They had been present when the application was discussed, but would consider the application afresh. As their interest was personal and not a prejudicial or a disclosable pecuniary interest they determined to take part in the debate and vote on the matter).*

*(Councillor Adrian Edwards declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was a Member of Newbury Town Council and the Planning and Highways Committee but had not participated in the discussion of the application. He was also a*

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*resident of Fifth Road and formerly a Trustee of the St Bartholomew's Charitable Foundation but had resigned. As his interest was personal and not a prejudicial or a disclosable pecuniary interest he determined to take part in the debate and vote on the matter).*

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 18/03144/FUL in respect of the proposed demolition of the sports pavilion and erection of a single storey replacement pavilion and new parking area.
2. In accordance with the Council's Constitution, Mr Alan Bradshaw, Mr Steve Sanders and Mr Chris Jones, objectors, Mr Bob Broadbridge, supporter, and Mrs Julia Mortimore and Mr Jonathan Gratton, applicant/agent, addressed the Committee on this application.
3. Matthew Shepherd 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. Officers recommended the Committee grant planning permission.
4. Mr Sanders, Jones and Bradshaw in addressing the Committee raised the following points:
  1. Residents had been told repeatedly that there would be no change to the use of the site but the proposed conditions for hours of use suggested that the pavilion could be used on Saturday evenings by unknown groups.
  2. The proposed design did not constitute a like for like replacement of the pavilion.
  3. The school's traffic policy was unenforceable. The road became gridlocked by coaches on match days.
  4. Hours of use should be limited. Newbury Athletic Club only used the site on Thursday evenings. It did not make sense for use of the site to be permitted until 10pm 6 days per week.
  5. Visitors to the site parked irresponsibly in the area which posed a health and safety risk. The proposal would be more appealing and attract more visitors.
1. Councillor Paul Bryant enquired what hours of use the objectors would like to see imposed on the site. Mr Jones advised that they should be school hours, Saturday mornings and Thursdays until 9pm, as they were at present.
2. Councillor Bryant further asked how frequently matches were held on the site. Mr Bradshaw responded that they were eight times per year.
3. Councillor Clive Hooker enquired upon the traffic situation on school days, Mr Jones advised that pupils walked to the site from the school.
4. Councillor Anthony Pick enquired how many cars parked informally on the site at present. Mr Jones advised that on Thursday evenings around 30 cars parked on the site.
5. Councillor Adrian Edwards asked whether it was common for coaches to attend the site. Mr Sanders advised that when events were held on the site coaches would access the area. There was a risk that emergency vehicles would not be able to pass parked coaches. The school did not manage traffic on event days. Mr Jones added that the proposals could enable eight to ten teams to play lacrosse on a match day which would mean an increase in the number of cars and coaches accessing the site.

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6. Mr Broadbridge in addressing the Committee raised the following points:
  6. He was the Chairman of Newbury Athletic Club; a thriving and inclusive organisation which offered a range of specialist coaching for people aged 8 to 70. The Club made an important and successful contribution to the community.
  7. The site had an important role for the Club and the school to ensure students could access physical education.
  8. The Club used the site as the summer base for junior athletics and distance runners on Thursday evenings from April to September. The pavilion was also used for circuit training, committee meetings and ad hoc gym training.
  9. Eight parking spaces would be inadequate so visitors would be asked to park along the eastern boundary of the site. Around 40 vehicles dropped athletes off at the site. The Club emphasised the importance of considerate parking to its visitors.
  10. No complaints about traffic and parking had been received either directly or via the school.
  11. The new pavilion would be essential to continuing providing valuable sporting services to the community. The use was like for like and the new pavilion would be fit for purpose.
  12. Councillor Beck asked whether Newbury Athletics Club had ever used parking marshalls. Mr Broadbridge advised they had not but heard it as a good suggestion.
  13. Councillor Pick enquired how the 70-80 junior athletes arrived at the site. Mr Broadbridge advised that around 30-40 cars would drop off and a further 10-15 would park on the site and watch.
  14. Councillor Adrian Edwards asked whether any events were held on the site. Mr Broadbridge advised that it was not suitable for events so the Crookham site would be used.
  15. Councillor Bryant enquired what the impact would be if the Committee were minded to restrict the hours of use on the site. Mr Broadbridge noted that while the primary use of the site was Thursday evenings, the minor uses were still important to the business of the Club and requested that groups of up to 15 people be permitted to use the site on other weeknights. Councillor 9pm asked whether 9pm was a reasonable cut off time. Mr Broadbridge advised that would pose difficulties.
16. Ms Mortimore and Mr Gratton in addressing the Committee raised the following points:
  17. The existing pavilion was at the end of its life and the new pavilion was necessary for the maintenance of the site as a community facility.
  18. A number of proposals had been looked at but were not sufficiently viable. This application was supported by Sport England, Newbury Athletics Club and Greenham Common Trust.
  19. The site had been gifted to the school and Newbury Athletics Club for sport activity and the school wished to ensure future generations had access to physical education on the site. This proposal would not change the use of the land.
  20. The pavilion would cover the same area and was lower in height than the current building on the site.

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21. The school used the site for lacrosse matches on around eight Saturdays per year.
22. The new location of the pavilion would enable disabled access.
23. Councillor Hilary Cole enquired upon the proposed hours of use. Mrs Mortimore advised that the proposed hours were those of the main school building, although the site would not be used to the full extent of the permitted hours. Mr Gratton explained that the hours reflected the main school and at present there were no limitations on the hours the site could be used.
24. Councillor Pick asked for more information on the school's travel plan. Mr Gratton advised that the plan was developed by a highways consultant and was not proposed to be changed by the application. Mrs Mortimore advised that parents were encouraged to park at the school and walk to the site but external visitors were less easy to manage. Parking at the main school site was limited at weekends due to other community uses of the school such as Berkshire Maestros. The only community use of the Fifth Road playing field would be by the school and Newbury Athletics Club.
25. Councillor Garth Simpson requested more information regarding the lacrosse matches held on the site. Mrs Mortimore advised that the matches were for St Bartholomews' students to play one other school. The proposals meant that three standard sized pitches could be accommodated on the site in addition to improved disabled access. The position of the pavilion and car park would mean that lacrosse balls would not hit cars. Councillor Simpson asked whether the site would have the same capacity for informal parking. Mrs Mortimore explained that it would when used by Newbury Athletics Club but not when used for lacrosse matches which was also the case at present.
26. Councillor Hooker asked what the encumbrance of not having three standard sized pitches would be. Mrs Mortimore advised that as the site was a playing field it was legally necessary to ensure that the sites facilities were maintained. Mr Gratton explained that the pitches would not be at Olympic standards but would meet standard sizing for women's pitches including a safe run-off distance.
27. Councillor Bryant asked whether three pitches of identical size would lead to intensification of use of the site. Mrs Mortimore advised that the same number of teams would play a match but it offered flexibility as senior teams would not play on the existing smaller pitch.
28. Councillor Bryant asked for a comment regarding the hours of use. Mrs Mortimore advised that the school required use during school hours and Saturdays. Only Newbury Athletics Club required to use the site on evenings and their access at these times should be maintained. .
29. Councillor Edwards asked whether it was necessary to have access to the site until 10pm on Saturday evenings; Mrs Mortimore confirmed it was not. When Councillor Edwards challenged why that time had been proposed, Mrs Mortimore explained that for simplicity it had been proposed that the site be subject to the same hours of use as the main school. She understood the concern of residents about the potential use of the site on Saturday evening.
30. In response to a further question regarding informal on the site by Councillor Edwards, Mrs Mortimore advised that during lacrosse matches it was not possible to park informally on the site.

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31. Councillor Pick asked whether coaches could be permitted to park at the school on match days; Mrs Mortimore advised that it may prove a problem to balance with other uses of the school on those days but would be considered. Councillor Pick asked whether the school would be amenable to appointing traffic marshalls; MRs Mortimore advised she would look into the matter.
32. Councillor Pick asked whether they had been consulted on the application; MRs Mortimore advised that the school had sent letters and held a meeting
33. Councillor Cole asked whether the proposed hours of use had been proposed by the applicant or planning case officer. Mr Gratton confirmed that it was the case officer. He had queried this as the site previously had no restrictions.
34. Councillor Edwards in addressing the Committee as Ward Member raised the following points:
35. The comments from the Town Council were relevant.
36. It was unusual that not all residents had been consulted. There had been no response to concerns regarding lighting.
37. There had been a significant number of objections which was unusual for such an application.
38. The location of the proposed new pavilion would have a significant impact on neighbours. It would be overbearing, noisy, cause a loss of privacy and light pollution.
39. Better facilities would attract more visitors and worsen traffic problems in the area.
40. Residents were subjected to appalling parking conditions.
41. The pavilion should be rebuilt in the same location.
42. He urged Members to oppose the plans.
43. Councillor Virginia von Celsing asked for a further explanation regarding the view that there would be an increase in the number of vehicles travelling to the site when there was no increase to the number of teams or pitches. Councillor Edwards stated that more people would be attracted to use the facilities and lead to an increase in people going to Newbury Athletics Club. Councillor von Celsing stated that the applicant advised there would be no increase in the number of teams and had explained why three standard pitches was not achievable on the site in its current layout.
44. Councillor Bryant asked why Councillor Edwards thought there would be more noise. Councillor Edwards advised that it was because of the location of the pavilion. Councillor Bryant asked if he thought users of the pavilion would be noisy. Councillor Edwards advised that in the summer people would be outside.
45. Councillor Bryant highlighted that there would be no streetlights and no windows on the southern side of the pavilion and asked where light pollution would come from. Councillor Edwards said that the window facing west would cause more light than there was at present.
46. Councillor Bryant suggested that the height of the pavilion was similar to the hedge so would be largely invisible. Councillor Edwards stated that the ridge height would be over the fence line and the hedge was not the whole length of the proposed pavilion.

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47. Turning to questions for officers, Councillor Cole stated that she understood why the suggested hours of use were consistent with the main school but asked whether they were appropriate for the site. Matthew Shepherd advised that the hours had been set to take into account Newbury Athletics Club's use of the site and occasional run over of events. The proposed hours were considered to be enforceable in terms of the six tests laid out in the Planning Policy Guidance. It was in the Committee's gift to amend the hours of use but they should note that the site previously had no restrictions.
48. Councillor Pick asked whether there were any other community uses on the site. Matthew Shepherd advised that it was restricted to sports.
49. Councillor Bryant sought information on the visibility of the building from Fifth Road. Matthew Shepherd confirmed the building would be 3.35m tall and a distance of 18m to the nearest dwelling. The hedge thinned out so a landscaping condition was proposed. Councillor Bryant asked what the minimum distances between properties should be in an urban area. Matthew Shepherd advised that to the front of a property it should be 20m and 15m to the back.
50. Councillor Beck enquired whether the colour scheme could be amended considering that the pavilion was some distance from the main school building and outside Newbury's settlement boundary. Matthew Shepherd advised that a condition was proposed regarding approval of materials to be used and it was in the Committee's gift to influence. Councillor Hooker enquired whether residents could have an input into the choice of colour. Derek Carnegie recommended that officers handled the matter.
51. Councillor von Celsing requested Paul Goddard's views on the parking. Paul Goddard stated that the application had not been easy to assess. Had the application been for a new use on the site he would have applied the full weight of the Council's current parking standards and that would have required 45 spaces. However, the proposal would replace almost like for like an existing facility. Should the Committee refuse the application, a Planning Inspector at appeal was not likely to find in favour of the council. There was no suggestion that use of the site would be intensified, the same number of events would be held on the same days. The issues in the area would continue whether permission was granted or not. There was no evidence that the proposals would worsen the situation.
52. Councillor Pick asked what was understood by an active travel plan. Paul Goddard advised that most schools had one in place to encourage pupils to use sustainable means of travel. The plan was ongoing and monitored by colleagues in transport policy. He was not aware that any changes were proposed to the plan.
53. Councillor Pick sought clarification on the claim that net parking on the site would be increased. Paul Goddard advised that informal parking would continue along the eastern boundary of the site when the lacrosse pitches were not in use. He clarified the position on the site map.
54. Councillor Edwards asked what options there were to improve parking outside the site. Paul Goddard suggested that the Road Safety and Traffic Management teams be approached.
55. Councillor Hooker enquired whether residents parking permits could be considered. Paul Goddard advised that that proposal would be subject to a separate consultation and could not be determined that evening. Councillor Cole noted that it was not in the Committee's gift to amend a planning application and the traffic matters were for a different forum.

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56. In commencing the debate, Councillor Pick noted that light pollution had been raised by an objector at Newbury Town Council and it was disappointing that no one from the school had been there to address those concerns. The committee had seen at first hand the traffic chaos at the site during their site visit and he was disappointed that there had been a lack of attention to the issue. He sought reassurance that these issues would be addressed.
57. Councillor Beck suggested that if the Committee were minded to approve the application the colour scheme should be addressed. The Chairman advised that this was sufficiently covered by conditions.
58. Councillor Beck requested an informative be applied to ensure traffic marshals were used on the site at busy times. Derek Carnegie confirmed an informative was the best way to manage this,
59. Councillor Cole suggested that a traffic management plan be considered for the site. She expressed the view that the school had not sufficiently taken into account the views of residents. While she understood the aim to achieve consistency around the hours of use, they should be narrowed. Derek Carnegie advised that officers would consult the Legal team to establish whether the idea for a traffic management plan could be realised.
60. Councillor Garth Simpson reminded the Committee that the head teacher had agreed to look into coaches uses the school's parking. Councillor Pick stated that the Committee strong mandate the coaches not to approach the site.
61. Councillor Bryant stated that traffic was the principle issue. The problem would remain whether the approval was granted or not. There was a problem to be dealt with but that could not be completed during the meeting. In his view the hours of use were not excessive. The building would be largely invisible, especially when the landscaping was established. He did not accept the points regarding noise and light pollution. He proposed that the Committee grant planning permission. Councillor Cole seconded the recommendation.
62. Councillor Edwards stated that there would be a significant effect to nearby residents caused by the repositioning of the pavilion and would be tantamount to a brick wall on the other side of the road. Parking would not get better until the school took responsibility for traffic management. Travel to a nearby primary school also caused problems in the area. An unadopted road was encroached upon by visitors and it was within the residents gift to block it off, worsening the situation. He committed to keep a close eye on the situation and would report any future disruption.
63. Councillor Cole stated that she was sufficiently reassured that officers would address the issues raised and it would be foolish to refuse planning permission.
64. Councillor Hewer echoed Councillor Cole's views and stated that a holistic approach to traffic management was required across the District.
65. The Chairman invited the Committee to vote on the proposal of Councillor Bryant as seconded by Councillor Cole. At the vote the motion was carried.

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

### **Conditions**

1. **Full planning permission time limit**

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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. Approved Plans**

The development hereby permitted shall be carried out in accordance with the approved drawings

- Drawing title "Existing Site Location Plan". Drawing 1720 AP. 00.04 Rev A. Date received 5<sup>th</sup> December 2018.
- Drawing title "Proposed Site Plan". Drawing number 1720 AP.00.93 Rev A. Date received 5<sup>th</sup> December 2018.
- Drawing title "Proposed Sport Pitches". Drawing number 1720 AP 00.05 Rev A. Date received 5<sup>th</sup> December 2018.
- Drawing title "Proposed Elevations". Drawing number 1720 AP 40.02 Rev A. Date received 5<sup>th</sup> December 2018.
- Drawing title "Proposed Elevations". Drawing number 1720 AP 40.01 Rev A. Date received 5<sup>th</sup> December 2018.
- Drawing title "Proposed Floor Plan". Drawing number 1720 AP 10.01. Rev A. Date received 5<sup>th</sup> December 2018.
- Drawing title "Proposed Roof Plan". Drawing number 1720 AP 10.02. Rev -. Date received 5<sup>th</sup> December 2018.
- Drawing title "Proposed Ground floor". Drawing number 1720 AP 10.06. Rev A. Date received 5<sup>th</sup> December 2018.

Reason: For the avoidance of doubt and in the interest of proper planning.

### **3. Schedule of materials (optional samples)**

No works above ground level shall take place until a schedule of the materials to be used in the construction of the external surfaces of the building and hard surfaced areas hereby permitted has been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to these matters which have been detailed in the current application. Samples of the materials shall be made available for inspection on request. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (2018), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) AND Supplementary Planning Document Quality Design (June 2006).

### **4. External Lighting**

No external lighting of the proposed building shall be erected without the prior approval in writing of the Local Planning Authority by way of a formal planning application made for that purpose.

Reason: The Local Planning Authority wish to be satisfied that these details are satisfactory, having regard to the setting of the development. To protect the amenities of adjoining landusers and the character of the area. This condition is imposed in accordance with the National Planning Policy Framework (2018), Policies CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

### **5. Landscaping**



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No development shall take place until a detailed scheme of landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure:

- a) Completion of the approved landscaping scheme within the first planting season following completion of development/first occupation of the dwelling(s)/first use of the development or in accordance with a programme submitted to and approved in writing by the Local Planning Authority as part of the details submitted for this condition.
- b) Any trees, shrubs or plants that die or become seriously damaged within five years of the completion of this development/of the completion of the approved landscaping scheme shall be replaced in the next planting season by plants of the same size and species.

Thereafter the approved scheme shall be implemented in full.

Reason: To ensure the implementation of a satisfactory scheme of landscaping. This condition is imposed in accordance with the National Planning Policy Framework (2018), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **6. Restriction of Use Class to D2**

The premises shall be used solely as an indoor and outdoor sports and leisure facility as detailed within the submitted planning application and for no other purpose including any other purpose in Class D2 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or an order revoking and re-enacting that Order, with or without modification).

Reason: Careful consideration has been given to this application for planning permission and any other use may not be acceptable on the site. This condition is imposed in accordance with the National Planning Policy Framework 2018 and Policies, CS13, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007.2007.

### **7. Programme of Archaeological Work**

No development/site works/development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. Such an approach follows the guidance set out in paragraph 141 of the National Planning Policy Framework. Such an approach is in line with paragraph 141 of the National Planning Policy Framework and with CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **8. Building Recording**

No demolition / site works / development shall take place within the application area until the applicant has secured the implementation of a programme of building recording in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

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Reason: To ensure that an adequate record is made of these buildings of architectural, historical or archaeological interest. Such an approach is in line with paragraph 141 of the National Planning Policy Framework and with CS14 and CS19 of the West Berkshire Core Strategy (2006-2026). The level of recording necessary should be guided by the advice specified by Historic England in Understanding Historic Buildings: A guide to good recording practice (2016). A Level 2 descriptive record would be appropriate in this instance, supplemented by any accounts of the building's origins and use if these can be tracked down.

### **9. Ecology of the Site**

Development shall proceed in accordance with the measures detailed within "Updated Preliminary Bat Roost Assessment" Reference R2093/b November 2018 by John Wenman Ecological Consultancy unless otherwise agreed in writing by the Local Planning Authority.

Reason: to provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 17 of the West Berkshire Core Strategy Development Plan Document 2012.

### **10. Demolition before use begins**

The approved Clubhouse building at Newbury Athletics Fifth Road Newbury Berkshire that is subject to this permission shall not be brought into use until demolition of the original club house on site have been completed fully as shown in approved plans. Demolition will be completed fully and all spoil removed from the site.

Reason: In the interests of maintaining the appearance of the area in accordance with policies ADPP1, ADDP2, CS14, and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006). Additionally in the interest of good planning and clarity.

### **11. Parking / turning in accord with plans (YHA24)**

The development shall not be brought into use until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (2018), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **12. HIGH19 – Cycle parking (YHA35) - variation**

The development shall not be brought into use until cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking cycles at all times.

Reason: To ensure the development reduces assists with the parking, storage and security of cycles and motor cycles. This condition is imposed in accordance with the National Planning Policy Framework (2018), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **13. Hours of use**

The use hereby permitted shall not be open to customers outside the following hours:

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08:00:00 to 22:00:00 Mondays to Fridays;  
08:30:00 to 22:00:00 Saturdays;  
09:00:00 to 18:00:00 Sundays and Bank Holidays.

Reason: To safeguard the amenities of surrounding occupiers. This condition is applied in accordance with The National Planning Policy Framework (2018), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

### **14. No music until details submitted**

No music shall be played until details of a noise impact assessment have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area. This condition is applied in accordance with The National Planning Policy Framework (2018), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

### **15. Hours of work (construction)**

No demolition or construction works shall take place outside the following hours:

8:00a.m. to 6:00pm Mondays to Fridays;  
8:30am to 1:00pm Saturdays;  
nor 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 (2018), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

### **16. Preventing the implementation of two schemes**

The development to which this planning permission relates shall not be implemented if any part of the development for which planning permission was granted by the Local Planning Authority under application 16/03263/FUL granted on the 07.02.2017 or under planning application 17/02804/FUL granted 19.12.2017 is begun.

Reason: To prevent the implementation of both schemes which would to which would intensify the use of the use. This condition is applied in accordance with The National Planning Policy Framework (2018), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

## **(2) Application No. and Parish: 18/02799/HOUSE - Boxford Parish Council**

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 18/02799/HOUSE in respect of a proposed single storey side extension to create enlarged kitchen, dining, utility area with internal alterations. The application was brought to the Committee because the applicant was a member of staff.
2. Gemma Kirk introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the

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report detailed that the proposal was acceptable and a conditional approval was justifiable. Officers recommended the Committee grant planning permission.

3. Councillor Paul Bryant in addressing the Committee as Ward Member raised the following points:
4. Had the site not been in the Area of Outstanding Natural Beauty the application would be considered permitted development and he urged the Committee to vote in favour of the application.
5. Councillor Hilary Cole sought confirmation that had the applicant not been an employee, the application would have been determined under officers' delegated powers. Officers confirmed this was correct.
6. Councillor Adrian Edwards enquired about the proposed materials to be used. Gemma Kirk confirmed that they would match the existing house.
7. Councillor Beck proposed that the Committee approve planning permission; this was seconded by Councillor Hilary Cole. The Chairman invited the Committee to vote and the motion was carried unanimously.

**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 approved drawing number 1217- EX 01 (Existing Plans and Elevations) and 1217- PL 01 (Proposed Plans and Elevations) received on 22.10.2018.

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 application form.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (July 2018), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006) and Supplementary Planning Guidance 04/2 House Extensions (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;  
nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework (July 2018), Policy CS14 of the West Berkshire Core Strategy (2006-2026).

Informatives: DEC1 (Approval- no objection and no revision), HI3 (Damage to footways, cycleways and verges) and HI4 (Damage to carriageway).

**WESTERN AREA PLANNING COMMITTEE - 30 JANUARY 2019 - MINUTES**

**40. 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 8.37 pm)*

**CHAIRMAN** .....

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