

Note: These Minutes were amended on the February 19 2025 meeting of the committee

## **WESTERN AREA PLANNING COMMITTEE**

### **MINUTES OF THE MEETING HELD ON WEDNESDAY 20 NOVEMBER 2024**

**Councillors Present:** Phil Barnett (Chairman), Clive Hooker (Vice-Chairman), Adrian Abbs, Antony Amirtharaj, Paul Dick, Nigel Foot, Denise Gaines, Tony Vickers and Howard Woollaston

**Also Present:** Paul Goddard (Team Leader - Highways Development Control), Debra Inston (Development Control Team Manager), Jake Brown (Principal Planning Officer), Michael Butler (Principal Planning Officer), Stephen Chard (Democratic Services Manager), Sam Chiverton (Apprentice Democratic Services Officer) and Annabel Munro (Trainee Solicitor)

#### **PART I**

##### **1. Minutes**

The Minutes of the meeting held on 18 September 2024 were approved as a true and correct record and signed by the Chairman subject to the inclusion of the following amendments:

##### **Item 3 (2) – 23/02550/FULMAJ – Elm Farm, Hamstead Marshall, Newbury**

##### **Paragraph 32 (bullet point three):**

‘It was clarified that the first floor of the proposal would consist of bedrooms and the second floor would be storage with two gable end windows for natural light.’

Debra Inston (Development Control Team Manager) agreed to confirm the accuracy of the above point as to whether the second floor area would be for storage purposes.

##### **Paragraph 35 (bullet point two):**

Ms Inston confirmed that advice would have to be sought from the Development Manager on whether the application would be **referred** to the District Planning Committee.

##### **Paragraph 51 (first sentence):**

Councillor Vickers noted in the comments from Highways within the report that by granting planning permission HGV movements would be reduced within the area, which were minor, **unsuitable** roads.

##### **2. Declarations of Interest**

*Councillor Antony Amirtharaj declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was the Ward Member for the application and called the item in for determination by the Committee. He had also been lobbied by a neighbouring resident. He would however continue to keep an open mind in considering the item. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.*

*Councillor Phil Barnett declared a personal interest in Agenda Item 4(2) by virtue of the fact that he was the Ward Member for the application and was a Member of Greenham Parish Council. However, he was not present at the Parish meeting where this application was discussed. As his interest was personal and not prejudicial or a*

## WESTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2024 - MINUTES

*disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.*

*Councillor Adrian Abbs declared a personal interest in Agenda Item 4(2) by virtue of the fact that he was a Member of Greenham Parish Council. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.*

*Councillor Tony Vickers declared a personal interest in the Agenda Items by virtue of the fact that he was the Vice-Chairman of the North Wessex Downs Area of Outstanding Natural Beauty Council of Partners. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.*

### 3. **Schedule of Planning Applications**

#### (1) **24/01755/FUL Twistle Cottage**

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 24/01755/FUL in respect of a part retrospective change of use of land to mixed ancillary residential use with agricultural use, remodelling of land levels and rebuild of stables to an agricultural store.
2. Mr Michael Butler, Principal Planning Officer, introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms and officers recommended that the Development Manager be authorised to grant planning permission subject to the conditions outlined in the main and update reports.
3. The Chairman asked Mr Paul Goddard, Highways Development Control Team Leader if he had any observations relating to the application. Mr Goddard advised that Highways Officers had no objections to this application as the number of vehicle movements that would be generated from this application would be low as it was the expectation that the site would only be accessed by the applicant.
4. In accordance with the Council's Constitution, Ms Julie Cooper, objector, Mr Gareth Jones, agent, and Councillor Martha Vickers, Ward Member, addressed the Committee on this application.

#### **Objector Representation**

5. Ms Cooper addressed the Committee. The full representation can be viewed here: [Western Area Planning Committee - Wednesday 20th November 2024](#)

#### **Member Questions to the Objector**

6. Members asked questions of clarification and were given the following responses:
  - Ms Cooper confirmed that she would like screening in place between her own property (Sandymead House) and the application property.
  - A gate was in place between the properties as Ms Cooper had access rights to the neighbouring land.
  - Ms Cooper advised that she provided care for disabled people through the West Berkshire Council Shared Lives scheme. This included the provision of day care, respite and having a resident living with her on a full time basis.

## **WESTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2024 - MINUTES**

### **Agent Representation**

7. Mr Jones addressed the Committee. The full representation can be viewed here: [Western Area Planning Committee - Wednesday 20th November 2024](#)

### **Member Questions to the Agent**

8. Members asked questions of clarification and were given the following responses:
- Mr Jones confirmed that the applicant was willing to put additional screening in place between Twistle Cottage and the neighbouring dwelling.
  - The ancillary area referred to was the applicant's garden area and constituted an expansion of the curtilage.
  - The machinery to be stored would not be significant, i.e. a sit on lawnmower for when the development, if approved, had concluded.
  - Mr Jones explained that the hours of work proposed as part of the Construction Method Statement would be conditioned. This was a matter that could be debated.
  - Ground levelling/earth moving works would take place as part of the development phase.

### **Ward Member Representation**

9. Councillor Martha Vickers addressed the Committee. The full representation can be viewed here: [Western Area Planning Committee - Wednesday 20th November 2024](#)

### **Member Questions to the Ward Member**

10. Members did not have any questions of clarification.

### **Member Questions to Officers**

11. Members asked questions of clarification and were given the following responses:
- It was standard best practice for the red line to cover the access from the application site to the public highway.
  - It was understood that there was a legal right of access/right of way for the neighbouring resident to access land owned by the applicant.
  - The addition of screening could be added as a condition in order to avoid overlooking of the neighbouring property. The form this would take to be in keeping with the area was a matter for the Committee to consider.
  - The current land use of the neighbouring dwelling could change in future and this was another point to take into account.
  - Overlooking was a planning issue. Sensitivities relating to the existing neighbour/neighbouring residents was not a planning matter.
  - The production of a Construction Method Statement was a condition of approval.
  - It was acknowledged that the sight lines on exiting the site were limited. However, the number of vehicle movements would be very low and Highways Officers therefore recommended approval.
  - There were some exemptions to biodiversity net gain with this proposal which related to the retrospective element of the application. However, a 10.2% biodiversity net gain was proposed and this was a condition of approval. The applicant had voluntarily applied this level of biodiversity net gain against the application.

## WESTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2024 - MINUTES

- A planning permission did not override covenants. The development of a site with planning consent could be delayed if there were civil matters to be addressed in relation to a covenant.
- The concerns that had been raised in relation to the wellbeing of residents of Sandymead House had been considered. It was not referenced within the report due to data protection restrictions.
- The distances between Twistle Cottage and Sandymead House was 52m (back to back). This was in excess of the required 21m. A level of screening was provided by a conifer hedge.

### Debate

12. Councillor Tony Vickers opened the debate by referring to the planning/design statement produced by the applicant. This suggested that additional screening could be included as a condition. He felt this would be desirable if Members were minded to approve the application.
13. Councillor Antony Amirtharaj felt it had been useful to gain a wider understanding of the ancillary aspect of the application. It had also been important to consider the impact on the wellbeing of neighbouring residents. He was supportive of the application subject to conditions and an additional condition for screening.
14. Councillor Paul Dick proposed to accept Officer's recommendation to grant planning permission subject to the conditions listed in the main report and update report, and an additional condition for screening that was in keeping with the area and acceptable both to the applicant and to neighbours.
15. Councillor Clive Hooker stated that his concerns had been addressed and seconded the proposal. He did however question if the existing concrete wall could be softened in some way.
16. Debra Inston, Development Control Team Manager, explained that the screening condition would be worded to ensure that it was both suitable and in keeping with the area.
17. The potential to shorten the hours of work included as part of the Construction Method Statement was queried in order to lessen the impact on neighbouring residents. Ms Inston recommended that the hours of work remain unchanged as these were standard working hours acceptable to Environmental Health Officers. Ms Inston did not feel it would be reasonable to seek to adjust these as there were not exceptional circumstances on which to do so. This was accepted by Members.
18. The Chairman invited Members of the Committee to vote on the proposal by Councillor Dick, seconded by Councillor Hooker, to grant planning permission. At the vote the motion was carried.

**RESOLVED that** the Development Manager be authorised to grant planning permission subject to the conditions listed in the main report and update report, and an additional condition for screening on the south-east boundary of the application site.

### (2) 23/02643/OUTMAJ Greenham

*(Councillor Adrian Abbs joined the meeting at 7.30pm).*

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 23/02643/OUTMAJ in respect of an outline application for up to 9 no. dwellings and all associated works. Matters to be considered: Access, Landscaping and Layout.

## **WESTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2024 - MINUTES**

2. Mr Jake Brown, Principal Planning Officer, introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms, provided that a Section 106 Agreement has been completed within three months (or such longer period that may be authorised by the Development Manager, in consultation with the Chairman or Vice-Chairman of the Western Area Planning Committee), and that authority should be delegated to the Development Manager to grant planning permission subject to the conditions listed in the report (or minor and inconsequential amendments to those conditions authorised by the development Manager, in consultation with the Chairman or vice-Chairman of the Western Area Planning Committee).
3. Or, if a Section 106 Agreement is not completed, to delegate to the Development Manager to refuse planning permission for the reasons listed in the report.
4. The Chairman asked Mr Paul Goddard, Highways Development Control Team Leader, if he had any observations relating to the application. Mr Goddard advised that the increase in vehicle movements created by this application, during the am and pm peak periods, was low.
5. The five vehicle access points were all of sufficient width and sight lines were in accordance with Manual for Streets, subject to the removal/trimming of some hedges. The 23 car parking spaces proposed were in accordance with Council policy. The 117 parking spaces used by the hotel would be retained.
6. Pedestrians would be able to use the footway on the opposite side of the site.
7. Highway Officers had no objections to the application.
8. In accordance with the Council's Constitution, Mr Ian Blair, objector, Mr Simon Millett, agent, and Councillor Billy Drummond, Ward Member, addressed the Committee on this application.

### **Objector Representation**

9. Mr Blair addressed the Committee. The full representation can be viewed here: [Western Area Planning Committee - Wednesday 20th November 2024](#)

### **Member Questions to the Objector**

10. Members asked questions of clarification and were given the following responses:
  - Mr Blair believed that homes were first developed in the area in the late 1990s with 16 homes in Priory Place and dwellings on Deadman's Lane. 27 homes followed in 2004.
  - Mr Blair could not recall any particular improvement works on Deadman's Lane.

### **Agent Representation**

11. Mr Millett addressed the Committee. The full representation can be viewed here: [Western Area Planning Committee - Wednesday 20th November 2024](#)

### **Member Questions to the Agent**

12. Members asked questions of clarification and were given the following responses:
  - The trees that would be planted/other planting would be varied, with exact details to be confirmed in line with the proposed condition. The applicant would be responsible for the maintenance of the landscaping for a minimum of three years post the dwellings being occupied. This was a condition of approval.

## **WESTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2024 - MINUTES**

- The two affordable housing units were proposed to be located together for reasons relating to land ownership.
- The applicant had engaged in the formal pre-application process with the Council. However, it was regrettably the case that no specific consultation had taken place with neighbouring residents. Mr Millett apologised that this had not happened.
- The production of a Construction Method Statement was a condition of approval and the Council's Highway Officers would be consulted on the Plan. Mr Millett understood that the construction compound would be located on the Premier Inn side of the site and that would also be the access for construction traffic.
- Mr Millett held the expectation that tree protection and any replacement of trees would be a condition of approval. The applicant would be willing to adhere to the reasonable time period that would be set by the Council.

### **Ward Member Representation**

13. Councillor Drummond addressed the Committee. The full representation can be viewed here: [Western Area Planning Committee - Wednesday 20th November 2024](#)

### **Member Questions to the Ward Member**

14. Members asked a question of clarification and were given the following response:
- The pupil numbers at the recently developed Highwood Copse School continued to increase. Many families walked to school currently, but it was felt that many would resort to use of their cars with this further proposed development and its construction.

### **Member Questions to Officers**

15. Members asked questions of clarification and were given the following responses:
- Sight lines were designed to accommodate vehicles travelling at 30mph and sight lines would be achieved for the different access points once existing vegetation had been removed or reduced. The land was in the ownership of the applicant or was public highway. In terms of the ongoing maintenance of the vegetation, this was largely in the control of the Council who could take enforcement action if this was not maintained to ensure sight lines stayed in place. A concern in this area would be difficult to defend as a reason for refusal.
  - It was the case that the footway on Deadman's Lane was not continuous. However, a number of footway links were in place and routes existed for pedestrians from Deadman's Lane towards Tesco and Pinchington Lane. The footway linking the east of the site with the A339 was continuous with the exception of one small section. Mr Goddard felt this was sufficient, but the potential to make improvements could be explored.
  - Policy CS6 of the Core Strategy required sites for 5 to 9 dwellings to provide 20% affordable housing.
  - Highwood Copse School was becoming busier. However, the vehicle movements expected for this development would be very low (with an additional 4 to 5 vehicles leaving the site in peak times). Highway Officers did not consider this to be a reason for refusal and could only object if concerns were severe. Mr Goddard explained how the number of vehicles was calculated.
  - It was acknowledged that vehicles departing from plot 9 would need to reverse onto Deadman's Lane and near to a footpath. While this was not ideal, it did not

## WESTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2024 - MINUTES

amount to a reason for refusal. Vehicles could reverse in the opposite direction and the angle of plot 9's driveway could potentially be adjusted to encourage that. It was however noted that Members needed to determine the application on the plans before them.

- Mr Goddard felt it could be possible to use Community Infrastructure Levy (CIL) funding to make the footpath to the A339 continuous. This could be taken forward with Greenham Parish Council.
- The installation of double yellow lines on Deadman's Lane could not be secured via the planning application. This would be a matter for the Parish Council to progress with Highway Officers and would involve consultation with local residents.
- Mr Goddard considered the street lighting in the location to be adequate. He also did not feel that a vehicle refuge would be necessary on the Lane as the road was already of standard width and congestion was considered unlikely considering the small growth in traffic movements.
- Mr Brown explained that responsibility for the maintenance of the open space and landscaping would be secured via the condition.
- Ms Debra Inston, Development Control Team Manager, advised that it would not be appropriate to add an informative relating to a change to the angle of the driveway of plot 9 as informatives were advisory only whereas this would be an alteration. She reiterated that Members needed to determine the application on the plans before them.
- A matrix was used to assess biodiversity net gain. This had not been completed adequately with the previous application and a reason for that item being rejected previously was on the grounds of lack of biodiversity net gain. However, it was completed in full for the appeal stage and the Ecologist considered the figures to be accurate and this was accepted at the appeal by the Planning Inspector.
- The biodiversity net gain applied to the entire application site including the hotel.

### Debate

16. Councillor Adrian Abbs opened the debate by stating his view that the reasons for refusal of the previous application had been addressed. He therefore questioned what defensible reasons could be put forward for refusal.
17. Councillor Tony Vickers felt there were points on which Members could consider refusal. For example, the number of dwellings could be reduced, the ongoing increase to pedestrian traffic that had grown since the consultation and the appeal could be a consideration, and the point that refuse vehicles would entirely block the single track road.
18. Councillor Clive Hooker also felt it was difficult to identify sound reasons for refusal, while noting it would be a considerable development for local residents. He accepted the point about refuse vehicles but did not consider this to be a sound reason. His own concerns in relation to highways had been alleviated by officers.
19. Councillor Phil Barnett made some points as Ward Member. He acknowledged the concerns raised by the local community. Considerable changes were taking place in the area which included a growing number of pupils at Highwood Copse School. Approval of this application would add to that. However, he also acknowledged the points already raised of the difficulty in finding sound reasons for refusal.

## WESTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2024 - MINUTES

20. Councillor Hooker added that the increase in pedestrians on Deadman's Lane was only an assumption at this stage and queried if officers held any statistics on which to support this. Mr Goddard explained that no statistics were held on this point. He pointed out that the appeal decision was only a month old.
21. Councillor Denise Gaines considered that nine additional dwellings was relatively minimal. She hoped it would be possible to use CIL funding to enable a continuous footway to be in place to benefit pedestrians, in particular children walking to and from school.
22. Councillor Howard Woollaston did not consider the points made about the refuse vehicles to be a particular concern. He considered the short duration of inconvenience to be minimal only.
23. Councillor Paul Dick highlighted positive aspects of the application, i.e. housing within the town that included affordable homes. He was content with the expectation that the continuous footway would be put in place.
24. Councillor Woollaston proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report. This was seconded by Councillor Hooker.
25. Potential additional conditions were suggested by Councillor Abbs to ensure access for construction vehicles was via the Premier Inn, and to ensure tree protection. These were accepted by the Proposer and Secunder.
26. Councillor Antony Amirtharaj remained concerned at the impact on existing residents. He particularly raised the point about the impact that would be caused by refuse vehicles and large delivery vehicles. Councillor Vickers retained the view that the impact caused by the refuse vehicles was a reason on which to refuse planning permission. Councillor Abbs felt that a practical solution might prove possible on this point via the enabling of short term access for refuse vehicles onto private drives.
27. Officers commented on the additional conditions that had been put forward. It was agreed that the Construction Method Statement would specify that construction vehicles would access the site via the Premier Inn. A landscaping condition was already proposed for new trees/planting within the first five years post completion of the development. Officers agreed that tree preservation orders (TPOs) could be placed upon existing trees during the construction period.
28. The Chairman invited Members of the Committee to vote on the proposal by Councillor Woollaston, seconded by Councillor Hooker, to grant planning permission. At the vote the motion was carried.

**RESOLVED that** the Development Manager be authorised to grant planning permission subject to the conditions listed in the main report and the additional conditions agreed by Members in relation to access for construction traffic and TPOs for existing trees during the construction period.

### (3) 23/02536/FULMAJ Cold Ash

1. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 23/02536/FULMAJ in respect of a Section 73 application to vary condition 2 (approved plans) of approved application 21/03154/COMIND: Construction of a detention basin with an area of 0.20 hectares and a 0.7m high earth bund to the south of the scheme. Realignment of an existing ditch for 12m into the proposed basin and installation of a bypass structure to facilitate flows in the existing watercourse downstream. A 300mm diameter pipe will convey flows from the basin



## **WESTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2024 - MINUTES**

during flood events to the existing ditch to the south of the scheme before out falling to the existing Thames Water sewer to the southwest. The existing ditch will be regraded from the outlet from the basin to the inlet to Thames Water sewer. The provision of a 3.0m wide access track from Bowling Green Road to serve the scheme. Removal and deposition, and levelling of soil on adjoining land north of Tull Way.

2. Mr Jake Brown, Principal Planning Officer, introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. He explained that the item was before the Western Area Planning Committee as the ward boundaries had changed since the original permission given by the Eastern Area Planning Committee. It was also a West Berkshire Council application.
3. In conclusion the report detailed that the proposal was acceptable in planning terms and officers recommended that the Development Manager be authorised to grant planning permission subject to the conditions outlined in the main and update reports.
4. The Chairman asked Mr Paul Goddard, Highways Development Control Team Leader, if he had any observations relating to the application. Mr Goddard advised there were no highway concerns. He noted that a greater level of spoil was to be retained on the site meaning there would be less large vehicle movements to transport the spoil off site.
5. In accordance with the Council's Constitution, Mr Alistair Lees, objector, addressed the Committee on this application. Mr Brian Cafferkey, agent, was permitted to answer questions of clarification. Members agreed to suspend standing orders to allow this.

### **Objector Representation**

6. Mr Lees addressed the Committee. The full representation can be viewed here: [Western Area Planning Committee - Wednesday 20th November 2024](#)

### **Member Questions to the Objector**

7. Members asked a question of clarification and were given the following response:
  - Mr Lees confirmed that the current levels of deposition were well in excess of the 0.75m being proposed. This impacted on views from his property.

### **Member Questions to the Agent**

8. Members asked questions of clarification and were given the following responses:
  - The seeding of the wildflower meadow would take place in the spring of 2025. The land would be tidied and topsoil added as part of that process.
  - The soil deposition would not exceed an average of 0.75m in line with the planning permission. Mr Cafferkey explained that this could differ to a minor degree during the construction phase.
  - Mr Cafferkey further explained that the removal of excess soil/spoil would be to landfill. This would incur a cost to the Council and would likely be a matter of concern for the Environment Agency. It was a more sustainable solution to keep this on site as was proposed.

Standing orders were reinstated.

**WESTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2024 - MINUTES**

**Member Questions to Officers**

- 9. Members asked questions of clarification and were given the following responses:
  - There were some variations in the soil deposition levels. Some areas had a greater depth than others. The worse case position was estimated at one metre.
- 10. Members felt that it would be appropriate for future such applications to have the depth at a set level but with a small degree of tolerance as it was very difficult to be completely precise. It was also noted that communication on this matter with local residents should have been clearer.

**Debate**

- 11. Councillor Abbs proposed to accept Officer’s recommendation and grant planning permission subject to the conditions listed in the main report and update report. This was seconded by Councillor Nigel Foot
- 12. The Chairman invited Members of the Committee to vote on the proposal by Councillor Abbs, seconded by Councillor Foot, to grant planning permission. At the vote the motion was carried.

**RESOLVED that** the Development Manager be authorised to grant planning permission subject to the conditions in the main report and update report.

*(The meeting commenced at 6.30pm and closed at 9.47pm)*

**CHAIRMAN** .....

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