

# DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## WESTERN AREA PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD ON WEDNESDAY, 24 JULY 2024

**Councillors Present:** Phil Barnett (Chairman), Antony Amirtharaj, Paul Dick, Denise Gaines, Nigel Foot, Tony Vickers, Howard Woollaston and Dennis Benneyworth (Substitute) (In place of Clive Hooker)

**Apologies for inability to attend the meeting:** Councillor Clive Hooker and Councillor Adrian Abbs

#### PART I

##### 1. Apologies

The Minutes of the meetings held on 22 May 2024 and 19 June 2024 were approved as a true and correct record and signed by the Chairman.

##### 2. Minutes

*Councillors Tony Vickers, Nigel Foot and Phil Barnett declared a personal interest in Agenda Item 4(1) by virtue of the fact that they were members of Newbury Town Council. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.*

*Councillor Paul Dick declared that he had been lobbied on Agenda Item 4(2)*

##### 3. Declarations of Interest

*Councillors Tony Vickers, Nigel Foot and Phil Barnett declared a personal interest in Agenda Item 4(1) by virtue of the fact that they were members of Newbury Town Council. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.*

*Councillor Paul Dick declared that he had been lobbied on Agenda Item 4(2)*

##### 4. Schedule of Planning Applications

###### (1) 23/01037/FUL - Newbury Gardens Day Nursery, Greenham House, Greenham Road, Newbury

1. The Committee considered a report (Agenda Item 4(1)) concerning the erection of a new building containing 5 two bedroom flats with associated infrastructure and landscaping on land adjacent to Greenham House, Greenham Road, Newbury.
2. Cheyanne Kirby 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, and the completion of a Section 106 legal agreement or Unilateral Undertaking as outlined in the heads of terms.

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3. Or, if the Section 106 legal agreement or Unilateral Undertaking is not completed, to delegate to the Development Manager to refuse planning permission.
4. In accordance with the Council's Constitution, James and Kay Lipscombe, objectors, addressed the Committee on this application.

### **Objector Representation**

5. Mr and Mrs Lipscombe addressed the Committee. This representation can be viewed on the recording:

[Western Area Planning Committee - Wednesday 24th July 2024](#) (18:40)

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

6. Members asked a question of clarification and received the following response:
  - The exit leading onto the A339 was very dangerous. There was no pedestrian access on to Station Road so all pedestrians were to be directed through the same route as the vehicles.

### **Member Questions to Officers**

7. Members asked questions of clarification and received the following responses.
  - Paul Goddard advised that whilst an access onto Station Road would have been ideal, he considered that the entrance onto the A339 was wide enough to accommodate both pedestrians and traffic due to the limited vehicle numbers expected.
  - Cheyanne Kirby advised that there had been in depth conversations with the drainage team over this application. They had highlighted their feeling that the scheme was not good enough, however the approved scheme on the previous application was the same as the one included on this proposal.
  - Debra Inston advised a condition could be added which required sustainable drainage measures be applied.
  - Cheyanne Kirby believed that the main concern of the drainage team was that there was not enough surface drainage. She noted that she was unsure why SuDS had refused this scheme given that an identical scheme had previously been approved. She highlighted that she could not provide more clarity as she was not a drainage engineer.
  - Paul Goddard advised that the Station Road access was removed by the applicant.
  - Debra Inston noted that this was the first time that she had been made aware of the presence of Japanese Knotweed and suggested that the public protection team would know if it was present on the property. She advised that a condition could be placed on the application stipulating that, if Japanese Knotweed was found, a management plan for its removal would be implemented.

### **Debate**

8. Councillor Paul Dick opened the debate by advising that his concerns, which related to the drainage of the site and the presence of the Japanese Knotweed, had been addressed. He also noted that he had concerns that the development would impact the light and the view of the house next door however, these were alleviated at the site visit.
9. Councillor Nigel Foot noted that Members essentially had before them an approved application which had been modified which meant that it was strange that the issues of the drainage had materialised. He advised that he was minded to approve this application but did find the egress of vehicles on to the A339 to be a concern.
10. Councillor Denise Gaines highlighted that the building was in a sustainable location but was disappointed that the access via Station Road had not been removed. She

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noted that she was happy with the additional conditions proposed in the debate and was pleased with the contribution to affordable homes.

11. Cheyanne Kirby noted that the applicant had suggested an alternative access was due to be brought through the entrance at the other end of the site. It was advised that this was to be done in accordance with the existing Construction Management Plan.
12. Councillor Anthony Amirtharaj advised that Members were looking at a fresh application with several issues and a Construction Management Plan which was missing. He had serious concerns about approving this application with so many open-ended questions. He wanted assurance no works would commence without the approval of a Construction Management Plan and resolution of the SuDS issue.
13. Debra Inston advised that the applicant had submitted an approved Construction Management Plan, but it was not unusual for a condition be added which required the submission of a new Plan if changes were to be made.
14. Councillor Dennis Benneyworth noted the extant permission made this application difficult to go against and hoped that the affordable housing contribution was suitable.
15. Councillor Gaines proposed to accept the Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report with additional conditions requiring SuDS details be submitted with the application, a Japanese Knotweed management plan be submitted and a Construction Management Plan be submitted. This was seconded by Councillor Woollaston.
16. The Chairman invited Members of the Committee to vote on the proposal by Councillor Gaines, seconded by Councillor Woollaston, to grant planning permission. At the vote the motion was carried.
17. **RESOLVED that** the Development Manager be authorised to grant planning permission subject to the conditions listed in the main report and update report, with additional conditions requiring SuDS details be submitted with the application, a Japanese Knotweed management plan be submitted and a Construction Management Plan be submitted. The granting of planning permission was also subject to the completion of a Section 106 legal agreement or Unilateral Undertaking as outlined in the heads of terms.
18. Or, if the Section 106 legal agreement or Unilateral Undertaking is not completed, to delegate to the Development Manager to refuse planning permission.

### **(2) 23/02802/FUL - Priors Court Farm, Priors Court Road, Hermitage**

19. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application (2) 23/02802/FUL in respect of the change of use of land to provide up to 84 storage containers for self-storage use (B8) and erection of boundary fence (part retrospective) at Priors Court Farm, Priors Court Road, Hermitage.
20. Debra Inston 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 Development Manager be authorised to grant planning permission subject to the conditions outlined in the main and update reports.
21. The Chairman asked Paul Goddard if he had any observations relating to the application. He noted the following:

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- The existing access was suitable for the size of vehicle that had been on the site before and was expected with this proposal.
  - The sight line was compliant with standards.
  - There were six Vehicles in and six Vehicles out expected per day.
22. In accordance with the Council's Constitution, Howard Williamson, objector, and Kerry Pflieger, agent, addressed the Committee on this application.

### **Objector Representation**

23. Mr Williamson addressed the Committee. This representation can be viewed on the recording:

[Western Area Planning Committee - Wednesday 24th July 2024](#)

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

24. Members asked questions of clarification and received the following responses:

- Mr Williamson's clients were residents who lived locally to the area.
- The site had been operational for some time so the lack of data relating to the site was confusing. He highlighted the lack of accurate traffic count records.
- There were several similar facilities in the area, with limited take up. He questioned whether this site was sustainable for this type of business.
- The fence along Old Street was subject to a separate application. Highways England had submitted a statement which indicated that there was no consent for closed board fencing which was being used to comply with AONB regulations.
- The Planning Officer had received photo evidence of large HGVs which had entered the site and parked on the blind corner. He informed Members that the site was proposed for commercial use but there was an incident on a Sunday morning of a commercial vehicle attending the site when it should have been closed.

### **Agent Representation**

25. Ms Pflieger addressed the Committee. This representation can be viewed on the recording:

[Western Area Planning Committee - Wednesday 24th July 2024](#)

### **Member Questions to the Applicant/Agent**

26. Members asked questions of clarification and received the following responses:

- The dark green colouring of the containers was conditioned in the update report.
- Highways England had stated they had no objection to the fence being constructed.

### **Ward Member Representation**

27. Councillor Dick addressed the Committee. This representation can be viewed on the recording.

[Western Area Planning Committee - Wednesday 24th July 2024](#)

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

28. Members did not have any questions of clarification.

### **Member Questions to Officers**

29. Members asked questions of clarification and received the following responses:

- Paul Goddard advised that National Highways owned a lot of the land around the area and had done since they purchased it to construct the M4. They had no objection to the fence being constructed.

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- Debra Inston advised that this application was submitted following a visit from the enforcement team who felt that an application to regularise the site was welcome given the nature of its usage.
- Debra Inston advised that Priors Court School had not raised any issue of noise.

**Debate**

30. Councillor Denise Gaines opened the debate by stating the economic viability of the site was not a material planning consideration. She advised she could not see a problem with the site and felt as though the location adjacent to the M4 meant that noise would not be a problem. She highlighted that the proposed usage was better than the approved usage.
31. Councillor Anthony Amirtharaj suggested that the proposed usage was safer than the approved usage due to the flammable nature of the pallets.
32. Councillor Phil Barnett noted he was very impressed with the site when visiting.
33. Councillor Vickers highlighted that the AONB was not a no development zone, particularly this section of it which had the M4 going through it. He felt that this was an ideal location for a site like this as it was extremely accessible. He agreed with Councillor Gaines that the economic viability of the site was not a planning matter but felt that the site was more viable than previously approved sites with a similar purpose.
34. Councillor Benneyworth supported the application noting there would be a benefit in regularizing traffic movements.
35. Councillor Gaines proposed to accept the Officer’s recommendation and grant planning permission subject to the conditions listed in the main report and update report. This was seconded by Councillor Amirtharaj.
36. The Chairman invited Members of the Committee to vote on the proposal by Councillor Gaines, seconded by Councillor Amirtharaj, 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.

*(The meeting commenced at 18:30 and closed at 20:15)*

**CHAIRMAN** .....

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