

## 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 17 SEPTEMBER 2025

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

**Also Present:** Lydia Theos (Apprentice Lawyer), Harriet Allen (Planning Officer), Debra Inston (Team Manager – Development Management), Ben Ryan (Democratic Services Officer), Jodie Wilson (Environmental Health Officer), Thomas Radbourne (Clerk)

**Apologies for inability to attend the meeting:** Councillor Nigel Foot and Councillor Howard Woollaston

#### PART I

##### 1. Minutes

The Minutes of the meeting held on 23 July 2025 were approved as a true and correct record and signed by the Chairman.

##### 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 that he had been lobbied for Agenda Item 4(1). 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 Agenda Item 4(1) by virtue of the fact that he was a member of Newbury Town Council. As his interest was personal and not prejudicial 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) 25/00931/FUL Waitrose, Oxford Road, Newbury, RG14 1NB

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 25/00931/FUL in respect of replacement of existing plant within the service yard and roof locations, Waitrose, Oxford Road, Newbury, RG14 1NB.
2. Ms Harriet Allen introduced the report to Members, which took account of all 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. In accordance with the Council's Constitution, Ms Jane Kemp, objector, Mr Tim Williams, agent, and Councillor Antony Amirtharaj, Ward Member addressed the Committee on this application.

###### Objector Representation

4. Ms Kemp addressed the Committee. The full representation can be viewed here:

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

5. Members asked questions of clarification and were given the following responses:
  - The objector was not reassured by the site meeting, and while she accepted that the noise created by the cages was an operational matter and could not be taken into account by the Committee, she believed that additional conditions should be added to allay some of her concerns about noise.

#### **Agent Representation**

6. Mr Williams addressed the Committee. The full representation can be viewed here:

**[Western Area Planning Committee - Wednesday 17 September 2025](#)**

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

7. Members asked questions of clarification and were given the following responses:
  - No acoustic barriers were included in the application because the background noise levels would not increase, therefore there was no requirement for it.
  - The background sound levels were recorded in accordance with the relevant standards, when the weather conditions were appropriate.
  - The agent noted that the previous planning permission required a delivery management plan with clauses that must be abided by. He believed that the store had taken the delivery management plan into account.
  - The application would lead to increased energy efficiency due to the removal of the current system and would enhance the customer experience as part of the refurbishment of the store and replace the current plant system.
  - The Planning Officer had recommended a planning condition for controlling the plant, which restricted the running of the heat pump to one hour either side of the store opening hours. It would not run continuously throughout the night. This was a benefit over the current system, which currently ran 24 hours a day.
  - There would be heating as and when required for the store, but the main cooling system would not run continuously.
  - Regarding power throughout the night for deliveries, the agent felt that it was an operational matter, and Waitrose would accept that as a planning condition.
  - Planning conditions were enforceable and would be brought up by the Environmental Health Officer and could be actioned if Waitrose were in contravention of them.
  - There was no requirement for additional conditions related to acoustic fencing around the plant, as the application complied with planning conditions, as would not lead to an increase in noise.
  - He confirmed that there would be enough power to run the food store when all the generators were turned off.

#### **Ward Member Representation**

8. Councillor Amirtharaj addressed the Committee. The full representation can be viewed here:

**[Western Area Planning Committee - Wednesday 17 September 2025](#)**

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

9. Members did not have any questions of clarification.

### **Member Questions to Officers**

10. Members asked questions of clarification and were given the following responses:

- Issues not directly linked to the application, would be dealt with separately by the Environmental Health Team through nuisance investigation powers.
- The noise assessment had been completed correctly and in accordance with the correct methodology. The conclusion noted that the noise levels generated by the proposal were below the existing background noise levels and should not be audible at residents' properties. There would not be a value to providing additional mitigation above that which had already been provided on the rear wall to prevent acoustic reflections.
- Officers believed that an additional noise assessment would be required if additional acoustic screening was added, as the screening could reduce ventilation, and the plant would have to work harder and create more noise.
- The agent had proposed that the equipment would be turned off at night.
- Any mitigation measures conditioned on the application must be relevant to this proposal.
- Operating hours under condition five would be between 7am to 10pm, therefore the equipment could operate from 6am to 11pm.
- At a BS4142 rating level, there would be a 0db lower noise during the day, and - 7db difference during the night (11pm – 7am).
- There was no sound mitigation proposed for the rooftop.
- At Old Bath Road, during trading hours, 37dB was emitted during the day, and 23dB at night. At Benedict Court, during trading hours, 41dB was emitted, and 29dB during the night.
- Monitoring of noise was controlled by the Environmental Health Team. A planning condition could not be included to condition pre-emptive monitoring. Environmental Health would only monitor as a reactive measure.
- The Committee could condition additional acoustic measures which could be delegated to Officers. This would be guided by the Environmental Health officer as to whether or not it would reduce noise.
- Officers recommended that additional conditions could require a period of monitoring at a given period after the fulfilment of the proposal.

### **Debate**

11. Councillor Tony Vickers opened the debate by noting the technical nature of the subject but believed the proposal would be a positive result for residents nearby. He believed it was useful to have the planning application and was in favour of approval.
12. Councillor Adrian Abbs considered that the new heat pumps would be quieter than the current equipment during the night and was in favour of approval.
13. Councillor Antony Amirtharaj commended the dedication of residents, and believed that from the technical aspects, the noise level would not increase from current levels. He felt that additional monitoring would enable consistency and reduce the

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impact on residents, and the supplementary conditions could mandate that any maintenance required to the heat pumps would be kept to the operational hours, and not during the out of trading hours.

14. Councillor Clive Hooker was in favour of the condition and believed that additional conditions could be added to the application in order to better support residents. He believed that the application was positive regarding the reduction in CO<sub>2</sub> and emissions.
15. Councillor Vickers believed that the Planning Committee could not require an applicant to implement or achieve levels beyond those set out in Planning Policies. He felt that there could be a test period where the new equipment could be run and monitored before it was fully brought into use.
16. Officers recommended an additional condition which required additional monitoring at a set time after first use, to make sure that sound levels were as predicted in the original noise report. If the noise levels were not as predicted, the applicant would have to make necessary adjustments to ensure that it was within the correct standards.
17. Councillor Abbs felt that if additional noise monitoring was to be conditioned, it should take place shortly after the first use of the new plant, with Officers being delegated the power to set the time of the noise monitoring.
18. Councillor Paul Dick was in favour of an additional condition in order to reduce noise faced by residents.
19. Officers recommended that the additional monitoring be taken at the same time periods as were taken in the noise impact assessment and from the same receptors.
20. Councillor Abbs proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report planning permission for the reasons listed in the main report and update report. This was seconded by Councillor Hooker.
21. The Chairman invited Members of the Committee to vote on the proposal by Councillor Abbs, 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 set out in the main report and the update report and the following additional conditions:

1. **Additional/amended Conditions** Submission of a Noise Impact Report following practical completion with Officers being delegated the power to set the time of the noise monitoring.
2. Condition ensuring that the air source heat pumps hereby approved are restricted to operate an hour either side of the store trading hours.

*(The meeting commenced at 6.30 pm and closed at 7.46 pm)*

**CHAIRMAN** .....

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