

## 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 22 OCTOBER 2025

**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:** Debra Inston (Team Manager – Development Management), Isabel Oettinger (Planning Officer), Kate Thomas (Property Lawyer), Paul Goddard (Highways Development Control Team Leader), Sam Chiverton (Zoom Host), Thomas Radbourne (Clerk)

#### PART I

##### (1) 25/01687/FUL 14 Charnham Street, Hungerford

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 25/01687/FUL in respect of Change of Use of a Class E unit to a Hot Food Takeaway (Sui Generis), installation of extraction and ventilation equipment and external alterations, 14 Charnham Street, Hungerford
2. Ms Isabel Oettinger 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 if he had any observations relating to the application. Mr Goddard made the following points:
  - The existing use of the site was Class E and any commercial uses would have a similar parking requirement and traffic generation as the proposed planning application. Mr Goddard believed it would be difficult for Highways to object on traffic grounds.
  - There were two accesses serving the site, and it had been proposed that the wider access to the west would be the entrance, and the narrower eastern access would be the exit. He noted that the narrow eastern access was of most concern, however, because it was an existing use, it could continue.
  - He recommended that the eastern access should remain for staff car parking only, and customers visiting the restaurant and the takeaway should use the western access as an entrance and exit.
  - Mr Goddard had been in contact with Planning Officers who had confirmed that a condition on the access arrangement could be added to the application.
  - He recommended that a condition be added which updated the car parking layout, showing the three allocated spaces for the takeaway and the allocated spaces for the restaurant. These spaces would be clearly marked out and signposted, identifying which car parking was available for each use. He noted that it would be up to the applicant to ensure that this was provided.

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- Considering the Class E status, he considered that the two additional conditions were the best means of offsetting the concerns that had been raised.

4. In accordance with the Council's Constitution, Mr James Cole Parish/Town Council representative, Mr Graham Ness, objector, Ms Chloe Smith, agent, and Councillor Tony Vickers, local ward member, addressed the Committee on this application.

### Parish/Town Council Representation

5. Mr Cole addressed the Committee. The full representation can be viewed here:

[Western Area Planning Committee - Recording](#)

### Member Questions to the Parish/Town Council

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

- Mr Cole noted that the applicant had a right to three car parking spaces, however, he felt that the Council could not dictate to the current tenants to give additional spaces to the applicant.
- There was no right of way from the car park through the narrow eastern exit.
- Three parking spaces was not sufficient for the takeaway - it would likely lead to cars parking on the A4 or in the private car park.
- The applicant proposed to use the smaller access as the exit, however, Mr Cole felt that the exit and the visibility splay from this access were inadequate.

### Objector Representation

7. Mr Ness addressed the Committee. The full representation can be viewed here:

[Western Area Planning Committee - Recording](#)

### Member Questions to the Objector

8. Members did not have any questions of clarification.

### Agent Representation

9. Ms Smith addressed the Committee. The full representation can be viewed here:

[Western Area Planning Committee – Recording](#)

### Member Questions to the Applicant/Agent

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

- The agent was confident the red line was accurate on the diagram.
- Under the lease, the applicant had rights to use the three parking spaces and the land allocated to Amore in order to access their car parking spaces. The agent noted that more formal arrangements could be put in place with the landlord.
- The small eastern access was considered as suitable for use by the agent.
- The operator for the business would be Domino's Pizza, which did not use third party delivery drivers. As such they would be able to implement strict training regimes for their operators and delivery drivers.

### Ward Member Representation

11. Councillor Tony Vickers addressed the Committee. The full representation can be viewed here:

[Western Area Planning Committee - Recording](#)

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### Member Questions to the Ward Member

12. Members did not have any questions of clarification.

### Member Questions to Officers

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

- Officers confirmed that the site had a failed application in 1994 which had been refused on highways issues.
- Officers felt that there had not been any significant changes to make the location safer since 1994. The sight lines for an access onto a 30mph speed limit should be 43 meters in both directions from a point 2.4 metres back from the centre of the access. The sight lines for the site did not achieve this standard. Officers highlighted that it was an existing access and a Class E site, therefore the current approved use could potentially have higher traffic flows than the proposal. Officers recommended a planning condition requiring details of access arrangements to be submitted for approval, in order to regularise the access, with the narrower eastern access to be used solely for staff parking, with all other access and egress through the wider western access.
- Officers recommended a second condition requiring a revised car parking layout to be submitted for approval. This could address some of the concerns raised, such as the locations of the bins, delivery motorcycles parking, and takeaway parking spaces, and it would require the layout of the rest of the carpark to be properly marked out.
- Officers accepted that the report should have stated in the table in section 3.3 that there was job creation, however, it was not a material consideration. It was material insofar as it counted to the planning balance, but the table was really intended to show whether it had a major influence on the determination of the application. Weight had been given in the officers' assessment to the economic benefit of the proposal.
- Officers felt that a 7:30am start would enable construction traffic to arrive on site before rush hour, however, it could be amended to 8:00am.
- Officers agreed that the proposed layout appeared to show small, domestic bins. Officers recommended a condition requiring a plan to be submitted for approval to show turning, parking, and refuse arrangements on site. The red site line indicated that there was room to move the three parking spaces for the takeaway further north to accommodate a commercial bin. Whether or not this area fell within the lease for the takeaway was irrelevant, since the application covered the whole site.
- Officers clarified that if members felt that there was insufficient refuse bin storage provided, it would be a reason for refusal. However, officers highlighted that sufficient space was available to accommodate a slightly larger refuse area, which would be achievable via condition.
- Officers felt that the diagram was limited and noted that this was the reason for recommending a condition to revise the parking layout, that ensured that the car parking spaces, the necessary bin storage and motorcycle parking was provided. Officers were satisfied that there would be sufficient car parking on site for the takeaway and restaurant, including conditions for larger bins.
- Officers were confident that car parking was adequate and controllable on the site with the additional two conditions. There was sufficient space for cars to turn around in the car park, as well as sufficient existing on street parking nearby for customers of the restaurant, if the car park was full.

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- The standard car parking spaces for all uses were 2.4 x 4.8 metres. Officers noted that there were no dimensions on the plans, but that this would be amended with the additional conditions.
- Officers confirmed that the whole site was within the same ownership.
- Officers noted that the delivery drivers would not be on site for prolonged periods of time, but additional car parking spaces for staff could be considered.
- Officers confirmed that a condition parking layouts to be submitted for approval would be within the scope of this planning application and would not require any material changes.
- No discussions had taken place with the applicant as to whether they would agree to any additional conditions. Any pre-commencement conditions would need to be agreed by the applicant. If the applicant did not agree with the pre-conditions, there could be the opportunity to refuse the application based on not having those conditions on the application.
- Officers confirmed that a separate application for advertisement consent would be submitted. Officers noted that the considerations for advertisement consent were, the impact on amenity (which included character conservation), and impact on highways, to ensure signage would not impact on highway safety. The conservation area would be a material consideration when considering advertisement consent, and the Conservation Officer would be consulted on the application.
- Officers believed that large bins were already present on the site for the restaurant, and if large bins were conditioned for the takeaway, they would likely be collected by similar means.
- Officers highlighted that appropriate road markings would be included on the site, as well as suitable signage, demarcating the staff parking, and parking for the restaurant and takeaway. This should reduce the likelihood of irregular parking inhibiting sightlines at the access.

### Debate

14. Councillor Tony Vickers opened the debate by noting time could have been saved by having a detailed site survey, and a detailed parking and access and exit layout. Where parking and access were key issues, he felt that officers should insist that applicants submit the necessary information.
15. Councillor Paul Dick was assured by the officer's responses that conditions could be added to the application to address his concerns. He believed that it should be left to officers to set down the condition to fulfil the wishes of the committee. Councillor Dick was in favour of the application and was happy to propose in favour of the application with the two additional conditions recommended by officers.
16. Councillor Clive Hooker disagreed with the points made by Councillor Vickers. He felt that the information provided by the applicant had been adequate. It was only Member discussions at the committee, that had highlighted the need for further detail to be provided on parking layout.
17. Councillor Adrian Abbs was concerned regarding the theory and practice of the application. He felt that there were limited planning powers to reject the application and noted that the bins could be conditioned. He felt that the visibility splays were not suitable in modern terms. He was happy to second a proposal in favour of the application, as long as it included the additional conditions that had been proposed in the meeting.

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18. Councillor Antony Amirtharaj noted the points raised by Councillor Dick and Councillor Abbs and highlighted the benefits from job creation and the development of a business in the town centre. He considered that the parking issues were more an enforcement issue. He indicated that he was in favour of the application.
19. Councillor Denise Gaines noted that the area was mainly residential rather than commercial. There were good buildings in the area, and it was in a heritage area. However the area needed reinvigorating, and the current site was an eyesore, and needed work. She had been concerned regarding the exit from the car park, but with the conditions recommended by officers, she was in favour of the application.
20. Councillor Nigel Foot felt it would be useful for delivery bikes to be conditioned to be at the rear of the property.
21. Councillor Dick proposed to accept officer's recommendation and grant planning permission subject to the conditions listed in the main report and recommended by officers during the meeting for the reasons listed in the main report and set out during the meeting. This was seconded by Councillor Vickers.
22. The Chairman invited Members of the Committee to vote on the proposal by Councillor Dick, seconded by Councillor Vickers 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 following 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 plans and documents listed below:

Location Plan ref: DB633-A5-LP REV A received 01.08.2025

Block Plan ref: DB633-A5-BP REV A received 01.08.2025

Proposed Elevations 1 of 2 ref: DB633-A505 received 22.09.2025

Proposed Elevations 2 of 2 ref: DB633-A506 received 09.10.2025

Proposed Floor Plans DB633-A504 24.07.2025

Flood Risk Assessment received 22.09.2025

Heritage Statement received 24.07.2025

Noise Impact Assessment received 24.07.2025

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

3. Before the use hereby permitted commences, fume extraction, mechanical ventilation and filtration equipment shall have been installed at the premises in accordance with the details specified in the Springfield Group Kitchen Ventilation Specifications Information. The equipment shall thereafter be retained, operated and maintained in its approved form and in accordance with the manufacturer's recommendations for so long as the use hereby permitted remains on site.

Reason: To ensure that no nuisance or disturbance is caused to the occupiers of neighbouring properties. This condition is applied in accordance with the National

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Planning Policy Framework, Policies DM5 and DM30 of the West Berkshire Local Plan Review 2023- 2041, and the Quality Design SPD.

4. The development hereby approved shall not be occupied until the noise mitigation measures as set out in the Suono Plant Noise Assessment Report dated June 2025, submitted with the application, are implemented. Confirmation must be provided that the specified acoustic mitigation measures have been installed satisfactory.

The noise mitigation measures shall be retained and maintained thereafter.

Reason: To protect future residents from noise from installed plant. This condition is applied in accordance with the National Planning Policy Framework, Policies DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041, and the Quality Design SPD.

5. No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of:

07:30 and 18:00 Monday to Friday and 08:30 to 13:00 Saturdays and at no time on Sundays or Bank or National Holidays

Reason: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period.

6. The materials to be used in the development hereby permitted shall be as specified on the plans, supporting information and application forms. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.

Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies SP7 and DM28 of the West Berkshire Local Plan Review 2023-2041, and Supplementary Planning Document Quality Design (June 2006).

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

11am -11pm Monday- Sunday

Reason: To safeguard the amenities of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policies DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041.

8. Prior to installation of the extractor fan ducting, details of the timber screening (including finish) shall be submitted to and approved in writing by the local planning authority.

The works shall be carried out strictly in accordance with the approved details.

Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies SP7 and DM28 of the West Berkshire Local Plan Review 2023-2041, and Supplementary Planning Document Quality Design (June 2006).

9. No development shall take place until details of the vehicle parking (to include staff, delivery and customer parking) and turning space/areas, along with refuse storage areas, have been submitted to and approved in writing by the Local Planning Authority. Such details shall show how the parking spaces are to be marked out and signed. The use shall not commence until the vehicle parking and turning spaces/areas have been provided in accordance with the approved details. The parking and/or turning space shall thereafter be marked out and sign-posted in

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accordance with the approved plans and 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 which would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework 2024 and Policy DM44 of the West Berkshire Local Plan Review 2023 - 2041.

10. No development shall take place until details of all accesses into the site have been submitted to and approved in writing by the Local Planning Authority. Details shall include how accesses are to be marked and sign posted. The use shall not commence until the accesses have been provided in accordance with the approved details. The accesses shall thereafter be marked out and sign-posted in accordance with the approved plans and maintained/used accordingly.

Reason: In the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework 2024 and Policies SP19 and DM42 of the West Berkshire Local Plan Review 2023 - 2041.

*(The meeting commenced at 6.30 pm and closed at 8.15 pm)*

**CHAIRMAN** .....

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

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