**Minutes of a meeting of the Planning and Highways Committee**

**held in the Council Chamber, Newbury Town Council, Town Hall, Market Place, Newbury**

**05/01/2022 at 7:30pm/19:30.**

**Present**

Councillors; Nigel Foot (Chairperson); Gary Norman (Deputy-Chairperson); Phil Barnett; Jeff Beck; Jo Day; Billy Drummond; Roger Hunneman; Pam Lusby Taylor; David Marsh; Vaughan Miller; Andy Moore; and Tony Vickers

**In Attendance**

Darius Zarazel, Democratic Services Officer

**134. Apologies**

There were none.

**135. Declarations of Interest and Dispensations**

The Democratic Services Officer declared that Councillors Phil Barnett, Jeff Beck, David Marsh, Andy Moore, Billy Drummond, and Tony Vickers are also Members of West Berkshire Council, which is declared as a general interest on their behalf and a dispensation is in place to allow them to partake in discussions relating to West Berkshire Council business. Councillors Phil Barnett, Billy Drummond, and Tony Vickers are also Members of Greenham Parish Council.

The Democratic Services Officer made the following statement on behalf of Councillors Phil Barnett and Tony Vickers who are Members of West Berkshire Council Planning Committee and Jeff Beck and Andy Moore who are Substitute Members of West Berkshire Council Planning Committee: "I wish to make it clear that any comments I make tonight are only being made in relation to the formulation of the Town Council's view and is not in any way prejudging the way that I may vote when any application is considered by West Berkshire District Council. At that time, I will weigh up all the evidence.”

On Item 1 of Appendix 1 to these minutes, Councillor Jeff Beck declared an interest as he knows the applicant, but he is not prejudiced and will still vote on the application.

**136. Minutes**

**136.1 Proposed:** Councillor Jeff Beck

**Seconded:** Councillor Tony Vickers

**Resolved:** That the minutes of the meeting of the Planning & Highways Committee held on 06/12/2021, be approved, and signed by the Chairperson.

**136.2 Officer’s Report on Action from Previous Meeting:**

A) The representative from Great Western Railway, Kevin King, scheduled to present on the Newbury Station development as item 8, has been called away for operational duties and is no longer available to speak. We are currently looking to rebook this presentation.

B) On the NTC bid to WBC for active travel wayfinding signage, the Council has not yet received the suggested initial sign placement along the North Newbury to the Town Centre route (Corridor 6 in the WBC Local Cycling Walking Infrastructure Plan) from SPOKES. However, the DSO will contact Councillor Tony Vickers, also a member of SPOKES, to look to progress this.

**137. Questions and Petitions from Members of the Public**Question received from Alan Pearce:

*“Please would the Committee consider writing to West Berkshire Council (WBC) asking them to confirm they will not award the contract to build the Monks Lane Sports Hub until both Sport England (SE) and WBC as the Local planning authority (LPA) have reviewed the planning application in there statutory planning roles to ensure the Sport Hub will qualify as a legal replacement or as part of a legal replacement strategy when replacing the current Faraday Road Football Ground?*

*The reason and for clarification, the Sport Hub planning application was not submitted as a replacement or as part of a replacement strategy, and Sports England have now confirmed on the 14th of December their statuary consultation response contained an assessment for a standalone proposal,* ***not*** *a replacement ground. The proposed development was not a replacement and Sport England did not object on those grounds.*

*The Sports Hub was not submitted as a replacement ground, and WBC as the LPA have* ***not*** *assessed the planning application as a replacement or as part of a replacement strategy for Faraday Road.*

*Councillor Woollaston confirmed at the Executive meeting on the 16th of December 2021 in his answer to public question Item (6) 7, Clarification/supplementary question, Am I right in saying that Monks Lane is not a replacement but may be used in the future for a replacement or part of a replacement strategy. Is that right? His answer "It is certainly part of a replacement strategy".*

*In my opinion, it is clear due to scale, the Sports hub will not meet planning policy to qualify as a legal replacement or as part of a legal replacement strategy. and WBC as a landowner did not submit the planning application as a replacement ground attempting to abuse the planning process.”*

Response from the Chairperson:

“Thank you for this question. This Committee has a standing item on the Newbury Community Football Ground. During that standing item, the Committee will discuss this proposal as well as a similar item prepared by Councillor Vaughan Miller.

Question received from Alan Pearce:

*“Please would the council give a detailed explanation, why it is necessary to exclude the press and public from Item 15. Newbury's Neighbourhood Development Plan, “To resolve to approve, if relevant, a volunteer for the NDP Steering Group”.”*

Response from the Chairperson:

“As the Council will be discussing in detail each individual volunteer’s CV during this item, and if relevant selecting one to become a member of the NDP Steering Group, we believe that a public discussion of these CV’s would be prejudicial to the public interest by reason of the confidential and personal nature of the business to be transacted. This exclusion is provided for in the [Public Bodies (Admission to Meetings) Act 1960](https://www.legislation.gov.uk/ukpga/Eliz2/8-9/67/section/1):

“[F4 Where a meeting is open to the public, a body may, by resolution exclude the public from the meeting] (whether during the whole or part of the proceedings) whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons stated in the resolution and arising from the nature of that business or of the proceedings; [F5 and where such a resolution is passed, this Act shall not require the meeting to be open to the public during proceedings to which the resolution applies].”

However, the resolutions from this item will be published in the minutes of the meeting.”

Supplementary question from Alan Pearce:

“I believe that there could be more transparency with this process, could more information be disclosed about who has applied to be a member of the NDP Steering Group?”.

Response from the Chairperson:

“Currently we have 7 applications from members of the public for the NDP SG vacancy. The selection process for this is conducted according to the process NTC would use to hire a member of staff. Therefore, the applicants names are not made available to the public. The applicants have also not provided their consent for this type of public disclosure. However, the names of all successful applicants are published and can be found on the [NDP Steering Group section of the NTC website](https://newbury.gov.uk/ndp/ndp-steering-group/).”

**138. Members’ Questions and Petitions**Question received from Phil Barnett:

“Parking on soft verges along many estate roads has been the norm for many years. Unfortunately, during the winter periods, the green verges become rutted and unsightly areas. In the case of the Turnpike Estate many soft verges have been pebble dashed supported by members bids, but still, some require updating. Therefore, can this Planning & Highways Committee of Newbury Town Council urge West Berks Council to consider making the remaining verges within the estate pebble dashed.”

Response from the Chairperson:

“Thank you for the question. Parking on soft verges during winter periods has been known to cause rutted dirt mud tracks which can become very unsightly. For this reason, and with a desire to keep a permeable surface, I will ask that this Council write to the relevant WBC department to request that the remaining verges within the Turnpike Estate be replaced with pebble dashed surface.”

**139. Application Consultation: Palady Homes for the development at the Former Newbury Magistrates Court on Mill Lane (**[**21/03024/FULEXT**](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/03024/FULEXT)**)**

 The Committee heard a presentation from Paladay homes on the Former Magistrates Court. Key information included:

* They are a joint applicant with Homes England
* 30% affordable housing
* 31 car spaces, electrical charging points, and a cycle store
* Floor level is above the ‘worst case’ flooding level

**140. Schedule of Planning Applications**

Resolved that the observations recorded as Appendix 1 to these minutes be submitted to the planning authority.

**141. Presentation: Newbury Station Redevelopment**

This presentation is being rearranged by the Council as the representative from Great Western Railway is not available.

**Proposed:** Councillor Nigel Foot

**Seconded:** Councillor Billy Drummond

**Resolved:** To vary the order of business on the ground of urgency to take the Newbury Community Football Group Item first.

**142. Newbury Community Football Ground**

**Proposed:** Councillor Nigel Foot

**Seconded:** Councillor GaryNorman

**Resolved:** To suspend Standing Orders to allow for a member of public, Alan Pearce, to speak during this item.

**Proposed:** Councillor Tony Vickers

**Seconded:** Councillor Nigel Foot

**Resolved:** That the attached letter, recorded as Appendix 2 to these minutes, be sent to WBC, through the NTC CEO and the Leader of the Council.

In sum, this letter calls on West Berkshire Council to pause all work on progressing the Sports Hub project until:

1. The application for the Sports Hub has been fully tested in the Planning Process as a full replacement for the Faraday Road Football Ground.

2. There is a clear planning justification that would make the LRIE redevelopment as recommended by Avison Young to, and since approved by, WBC Council viable.

Councillor Jeff Beck voted against this.

**Proposed:** Councillor Andy Moore

**Seconded:** Councillor Tony Vickers

**Resolved:** To reinstate Standing Orders.

**Proposed:** Councill Jeff Beck

**Seconded:** Councillor Roger Hunneman

**Resolved:** That the business of the meeting can be concluded by 22:30 and accordingly that the meeting be extended.

**143. Update on Newbury’s Neighbourhood Development Plan**

An update on Newbury’s Neighbourhood Development Plan was received and noted by members.

**144. Update from the Sandleford Joint Working Group**

An update from the SJWG was received and noted by members.

**145. Update from The Western Area Planning Committee**

An update from the WAP Committee was received and noted by members.

**146. Forward Work Programme for Planning & Highways Committee**

No further items were added.

**147. Exclusion of the Press and Public**

**Proposed:** Councillor Nigel Foot

**Seconded:** Councillor Billy Drummond

**Resolved:** That under Section 1, Paragraph 2, of The Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for the following items of business because publicity would be prejudicial to the public interest by reason of the confidential and personal nature of the business to be transacted.

**148. Newbury’s Neighbourhood Development Plan**

**Proposed:** Councillor Nigel Foot

**Seconded:** CouncillorGary Norman

**Resolved:** That Ian Blake be approved as a public member of the Neighbourhood Development Plan Steering Group.

Councillor Roger Hunneman abstained.

**There being no other business, the Chairperson declared the meeting closed at 22:13 hrs.**

**Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Chairperson**

**Appendix 1**

**Planning and Highways Committee Meeting**

**Schedule of Planning Applications**

**05/01/2021**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Running Order**   | **Resolutions**  | **Ward**   | **Application**  **Number**   | **Location and Applicant**   | **Proposal**   |
| 1. | Objection based on the method housing was being made and that there is no affordable housing being provided.  | Clay Hill | [21/02896/FULEXT](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/02896/FULEXT) | Emerald House, Newbury Business Park, London Road, Newbury, RG14 2PZ, for Mountley Ltd | Increase the height of the building and replacement mansard roof to include provision for a new third floor of residential accommodation (16 units), provision of dormer windows on second floor, and scheme of external design treatment to facilitate works. |
| 2. | No objection subject to it meeting listed building requirements.  | Clay Hill | [21/03054/HOUSE](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/03054/HOUSE) & [21/03055/LBC2](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/03055/LBC2) | 37 Shaw Road, Newbury, RG14 1HG, for Mr & Mrs Timblick and Lange  | Proposed external addition of gable window and window alterations with internal alterations and new entrance door. |
| 3. | We strongly support this application.Comments: It was felt that the 8 additional parking bays would be insufficient given the new staff hired and the addition patients.The extension is out of character with the existing buildings.The building could benefit from solar panels due to the flat roof.  | Clay Hill | [21/03049/FUL](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/03049/FUL) | West Berkshire Community Hospital, Rookes Way, Thatcham, RG18 3AS, for InHealth | Erection of an MRI and PET-CT Scanning Facility, hardstanding, landscaping and Car Parking. |
| 4. | We support this application. | Clay Hill | [21/02991/FUL](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/02991/FUL) | 11 Pindar Place, Newbury, RG14 2RR, for Mr & Mrs Fox  | Erect a 2 metre high wooden fence and change use of land from verge to garden curtilage. |
| 5. | Objection based on the decking overlooking the neighbouring property.Cllr Jeff Beck abstained. | East Fields |   [21/03000/HOUSE](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/03000/HOUSE) | 17 Priory Road, Newbury, RG14 7QS, for Mr J. Pettman  | Retrospective application for erection of raised garden decking enclosure. |
| 6. | Objection based on it being out of keeping with the surrounding area, concerns relating to its proximity to the canal, the lack of parking in relation to units, the additional pressure on the sewers, and finally that it does not comply with WBC Core Policy CS 15 about provision of renewable energy on site.Cllrs Tony Vickers, Jeff Beck, and Phil Barnettabstained | East Fields | [21/03024/FULEXT](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/03024/FULEXT) | Former Newbury Magistrates Court and No. 20 Mill Lane, Newbury, RG14 5QU, for Palady Homes and Homes and Communities Agency | Erection of 28 no. 1 and 2 bedroom apartments, together with car parking, an ecological enhancement zone, landscaping and associated works. |
| 7. | No objection. | East Fields | [21/03052/HOUSE](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/03052/HOUSE) | 1 Friars Road, Newbury, RG14 7QU, for Mr & Mrs Fernandez | Hip to gable first floor extensions, first floor conversion and the insertion of new ground floor windows and doors and rendering of the dwelling. |
| 8. | No objection. | Speenhamland | [21/02958/HOUSE](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/02958/HOUSE) | 14 Grove Road, Newbury, RG14 1UH, for Mr J. McCarthy | Part retrospective self-build 'garden room' outbuilding, at the bottom of the garden behind the main property. The building is divided internally to include a 6m square storage/shed area at one end and a 20m square studio/gym/working/bar area for incidental use at the other end. Both areas are served by different entrance doors - a wooden door for the storage area and a bi-fold glass doors for the studio area. |
| 9. | No objection. | Speenhamland | [21/03123/HOUSE](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/03123/HOUSE) | 42 Maple Crescent, Newbury, RG14 1LR, for Mr & Mrs Taylor | Two Storey Side Extension. |
| 10. | No objection. | Speenhamland | [21/03144/FUL](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/03144/FUL) | The Pilgrims Guest House, 33 Oxford Road, Newbury, RG14 1XB, for Mr K. Jeshua | Change of use from C1 to C2 without changing the structure of the building. |
| 11. | No objection.Comment:It was suggested that the pump could be moved to reduce its impact on the neighbour.  | Wash Common | [21/03032/HOUSE](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/03032/HOUSE) | Fairfield, Garden Close Lane, Newbury, RG14 6PP, for Mrs Fleming | Partial demolition of garage. Two-storey extensions to front and side over garage. Single storey extension to rear and alterations. |
| 12. | No objection. | Wash Common | [21/03099/HOUSE](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/03099/HOUSE) | 42 Wendan Road, Newbury, RG14 7AF, for Mr R. Russell  | Section 73a: Variation of Condition 2 (Approved Drawings) of previously approved application [18/02305/HOUSE](http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/02305/HOUSE): First floor extension over existing garage at the front. Single storey and double storey extension to rear. |
| 13. | No objection. | Wash Common | [21/03077/HOUSE](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/03077/HOUSE) | 7 Bartlemy Close, Newbury, RG14 6LE, for Mr & Mrs Clinton  | Single storey rear extension, internal alterations & alterations to external works. |
| 14. | No objection. | Wash Common | [21/03087/HOUSE](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/03087/HOUSE) | 4 Willowmead Close, Newbury, RG14 6RW, for Mr & Mrs D. Turner  | Two storey side/rear extension, single storey rear extension and external works. |
| 15. | Objection based on it being an overdevelopment and it being out of character with the surrounding area.  | West Fields | [21/02953/FUL](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/02953/FUL) | 1 and 3 Kennet Road, Newbury, RG14 5JA, for Four Acre Investments | Retention of an existing timber building for ancillary storage use. |
| 16. | We support this application. | West Fields | [21/03076/FUL](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/03076/FUL) | Newbury Delivery Office, 39 Cheap Street, Newbury, RG14 5BS, for Royal Mail Group | Internal and external reconfigurations and refurbishments to the site. New external signage, change of use from Class E to Sui Generis and increase of the staff fleet vehicle parking spaces. |

**Appendix 2**

**Letter of Concern to WBC re. WAP and Exec Decisions on 15th and 16th Dec 2021**

The Newbury Town Council Planning & Highways Committee notes that:

At Western Area Planning on Wednesday 15th December 2021:

Planning application (21/02173/COMIND) was passed on the basis that the proposed “Sports Hub” at Monks Lane is a standalone application and not linked to Faraday Road Football Ground.

That Sport England removed its holding objection based on the application being considered as a standalone:

“The response contains an assessment of the application as a standalone proposal against Paragraph 99, bullet point 3, of the National Planning Policy Framework and Sport England Policy Exception 5. The conditions referenced in the response relate solely to ensuring that the standalone proposal is fit for purpose in line with the aforementioned policy requirements.”

The LPA subsequently agreed to remove the 'joint statement' with SE from the conditions that could have linked the Sports Hub with the current Football Ground.

At WBC Executive Meeting on Thursday 16th December 2021:

The Executive agreed to award the call off contract for development management services to Alliance Leisure for the construction of Newbury Sports Hub clearly on the basis that it would be a replacement for Faraday Road.
An extract from the officer’s report states:

“The relocation of the facilities at Faraday Stadium is referenced as the number one priority in the PPS and the Newbury Hub development is designed to achieve this objective. The Newbury Sports Hub provides an enhanced replacement for the Faraday Road Stadium. If the Newbury Sports Hub project is not brought forward, an alternative replacement site will need to be found before the LRIE regeneration project can be progressed”.

The FA and Football Foundation (FF) maintain their objection with respect to planning application 21/02173/COMIND on the basis of the physical design of the facility and the business plan

1. They are concerned about the stated reliance on West Berkshire Council’s (WBC’s) subsidy;
2. They are concerned about the proposed programme of use;
3. They are concerned that the pricing policy is not fixed;
4. They are concerned that the rugby club would get 8 hours of use for free and that football users would subsidise this;
5. They feel discussions need to be held wider than just with Newbury FC;
6. They have reservations about the lease/break clause;
7. They consider that the business plan needs to be sustainable and fully developed in line with an agreed programme of use.

They also do not accept that the proposal would represent a satisfactory replacement for Faraday Road Stadium.

It’s not just the FA/FF the Rugby Football Union (RFU) have expressed a holding objection in relation to the application.  Their concerns are split into exactly the same two elements as the FA/FF - the physical design and the business plan.

There is currently no planning policy basis, let alone planning consent, for the Faraday Road football ground (an ACV) to be replaced by housing, yet this is the clear dependent pre-condition for the entire Master Plan for redevelopment of LRIE to be financially viable for your Council, as the site owner

Flawed Process:

It is clear that planning and approval processes have been flawed for the following reasons:

* The awarding of the contract was dependent on the passing of the planning application, yet they were considered on completely contradictory basis.
* To build such an expensive Sports Hub at Monks Lane could only possibly be justified if it could be deemed a replacement for the Faraday Road Football Ground (and even that is extremely questionable).
* A replacement football ground would only be needed if the council were granted planning permission to develop on the current ground.
* Therefore, it is fundamentally wrong that any alternative facility should be presented to Planning until it is proven that the Council’s ambitions to developing housing on the current ground is even possible.

This committee resolves to:

call on West Berkshire Council to pause all work on progressing the Sports Hub project until:

1. The application for the Sports Hub has been fully tested in the Planning Process as a full replacement for the Faraday Road Football Ground.
2. There is a clear planning justification that would make the LRIE redevelopment as recommended by Avison Young to, and since approved by, your Council viable.