

3/10/2023.

To: Councillors Phil Barnett, Vera Barnett, Jo Day, Sam Dibas, Nigel Foot, David Harman, Roger Hunneman, Ian Jee, David Marsh, Vaughan Miller, Andy Moore and Tony Vickers

Substitutes: All remaining Members of the Council

Dear Councillor,

You are summoned to attend a meeting of the **Planning & Highways Committee** on **Monday 9th October 2023 at 7:30 pm.**

The meeting will be held in the Council Chamber, Town Hall, Market Place, Newbury, RG14 5AA. The meeting is open to the press and public, and, if required, streamed via Zoom

Hugh Peacocke
Chief Executive Officer

AGENDA.

- 1. Apologies**
- 2. Declarations of Interest and Dispensations**
To receive any declarations of interest relating to business to be conducted in this meeting and confirmation of any relevant dispensations.
- 3. Minutes (Appendix 1)**
3.1 To approve the minutes of a meeting of the Planning & Highways Committee held on Monday 11/9/2023 (Appendices 1 and 1.2)
3.2 Officer's report on actions from previous meeting
- 4. Questions and Petitions from Members of the Public**
Questions, in writing, must be with the CEO by 2:00 pm on Friday 6th October 2023.
- 5. Members' Questions and Petitions**
Questions, in writing, must be with the CEO by 2:00 pm on Friday 6th October 2023.

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6. **Schedule of Planning Applications (Appendix 2)**
To Comment on the planning applications listed at the attached schedule.
7. **Sandleford Park East**
Bloor Homes
To receive an update on the work that has been undertaken since planning permission was granted.
8. **Applications for Prior Approval (Appendix 3)**
To comment, if relevant, on prior approval applications listed at the attached schedule.
9. **Licensing Application (Appendix 4)**
To Comment on the licensing application received.
10. **Update from The Western Area Planning Committee**
Councillor Tony Vickers
To Receive an update on any relevant business from the Western Area Planning Committee.
11. **Review of Planning Applications Consultation arrangements (Appendix 5)**
To Resolve that the current arrangements continue.
12. **Updates on Section 215 of the Town and Country Planning Acts. (Appendix 6)**
13. **Neighbourhood Development Plan Update**
Councillor Nigel Foot, Chairman of the NDP Steering Group
To receive an update on the work of the NDP Steering Group.
14. **Forward Work Programme for Planning & Highways Committee (Appendix 7)**
To Note and to agree any other items that Members resolve to add to the Forward Work Programme.

Minutes of a meeting of the Planning and Highways Committee held at 7:30 pm on Monday 11th September 2023, in the Council Chamber, Newbury Town Council, Town Hall, Market Place, Newbury.

Present: Councillors Jo Day, Billy Drummond, Nigel Foot, Jayne French-Drayton, David Harman (Vice-Chairperson), Ian Jee, Roger Hunneman, Sarah Slack, David Marsh, and Tony Vickers.

Cllr Andy Moore attended via Zoom.

In Attendance

Kym Heasman (Corporate Services Officer) and Margaret Gore (Senior Accounts Officer).

46. Apologies

Apologies received from Councillors Phil Barnett, Vera Barnett, Sam Dibas, Vaughan Miller, and Andy Moore.

47. Declarations of Interest and Dispensations

The Corporate Services Officer declared that Councillors Billy Drummond, Nigel Foot, David Marsh 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.

48. Minutes of the Meeting of the Planning and Highways Committee held on Monday 17th July 2023

Proposed: Councillor Nigel Foot

Seconded: Councillor Janyne French-Drayton

Resolved: That the minutes of the meeting held on 14th August 2023, be approved and signed by the Chairperson.

49. Actions from previous meetings

- a) All the consultation responses sent to the Planning authority.
- b) Motion re pedestrianisation: response received from WBC:

“I can confirm that Newbury Town Council will be included as early as possible in the consultation process with regards any proposed alteration to the pedestrianised timings in the town centre.”

- c) Bloor Homes presentation: invited to Committee, hope to make either October or November meeting.

50. Questions from members of the public

There were no questions or petitions from members of the public.

51. Members' Questions and Petitions

There were no questions or petitions from members of the public.

52. Schedule of Planning Applications

Resolved that the responses recorded at Appendix 1.2 to these minutes be submitted to the Planning Authority.

53. Schedule of Prior Approval Applications

Resolved that the responses recorded at Appendix 1.3 to these minutes be submitted to the Planning Authority.

54. Planning Appeals

The meeting noted that the Appeals by Lochailort Newbury Ltd against the decisions to refuse planning permission for redevelopment of The Kennet Centre, Newbury (Applications reference 21/00379 and 21/00380) had been withdrawn.

55. Update from The Western Area Planning Committee

There were no applications for the parish of Newbury to report.

56. Forward Work Programme for Planning & Highways Committee

Add the following items for the Committee meeting on 6th November 2023:

a) To note that Sharon Bayne, Director of Blackwood Bayne Ltd will make a presentation to this committee regarding West Berkshire Rights of Way Improvement Plan (ROWIP).

There being no other business, the Chairperson declared the meeting closed at 9.39 pm

Signed: _____

Chairman

Date: _____

**Planning and Highways Committee Meeting
Resolutions of Scheduled Planning Applications
11/09/2023**

Running Order	Application Number	Location and Applicant	Proposal	NTC Response
1.	23/00688/HOUSE AMENDED PLANS	21 Kiln Road, Newbury for Mr & Mrs Curtis	Demolition of existing single-story garage; new garage with storage space above; and enlarged car parking area for 3 cars by extending parking area with gabion basket type retaining wall to western boundary. AMENDED: The remaining dormer has been removed from the proposed garage and rooflights are added.	Objection/comment: concerns have been raised regarding surface water drainage (SUDS). Regarding gabion basket type retaining wall to western boundary, concerns also raised about the possibility of subsidence considering the location at the top of a steep slope.
2.	23/01845/LBC	49 Shaw Road, Newbury for Dr Henry Kennedy	Installing a period-correct fanlight window above the front door of the property.	No objection
3.	23/01904/FULMAJ	Newbury Racecourse, Racecourse Road, Newbury for Newbury Racecourse	Detailed application for the construction of an irrigation reservoir, fencing and ancillary works.	No objection/comment: It was requested that consideration be given to the Archaeology of this site as it was known to be a WWII Depot
4.	23/02036/FUL	10 Speen Lane, Newbury for Mr J Murry	Proposed extensions and alterations to dwelling, new access and change of use from C3 Dwellinghouse to Sui Generis HMO shared house.	Objection/comment: Application is inappropriate, HMO is out of character in the area and an overdevelopment. The orientation of the building (entrance at the rear) is totally opposite to other properties in the village. It was suggested that there is a "single dwelling covenant" for this area. Number of parking spaces is not only out of character but would also be inadequate for the number of persons that could be living in the property. Additional traffic generation is a concern. Concern that there seems to be various omissions & inaccuracies on the application form. Members strongly objection to the application being retrospective. The applicant has commenced work to

				<p>site before the application was submitted such as the removal of greenery.</p> <p>Concern that trees on the site might be covered with TPO's.</p>
5.	23/01585/OUTMAJ	Sandleford Park West, New Warren Farm, Warren Road Newbury for Donnington New Homes	Outline application for the phased delivery of up to 360 dwellings; demolition of Warren House and other buildings; widening of Warren Road to provide access through to Andover Road to the west; emergency access via Kendrick Road; provision of open space; drainage, walking, cycling, green and other associated infrastructure, including 40% affordable housing provision. All matters to be reserved except for access.	<p>Objection/comment:</p> <p>The sole proposed access point to the site, Warren Road, runs alongside Park House School, is opposite a day nursery and is less than 30 metres from Falkland primary school. It is also next to one church, and opposite another. A Sainsbury's filling station and supermarket and the main entrance to Park House are close by.</p> <p>This generates a lot of daily activity involving hundreds of children, and a large amount of traffic, particularly at pick-up and drop-off times.</p> <p>There are already long queues of cars along Andover Road at these periods, from the Monks Lane junction to the north, to Gorselands to the south. The road network is already stretched to capacity. It beggars belief that the extra traffic generated by this development would not make the problem worse, during both construction of the site and beyond.</p> <p>The huge increase in traffic will generate pollution which in the committee's view represents a risk to the health and wellbeing of children. It will make local roads less safe. Kendrick Road is not fit for purpose as an emergency access route.</p> <p>Even the inspector at the Bloor Homes appeal said that Warren Road was unsuitable.</p>
6.	23/01886/FUL	Park House School, Andover Road, Newbury for Greenshaw Learning Trust	Installation of new air source heat pumps with 3 timber hit'n'miss enclosures.	Support subject to the Environment Officer positive report especially in conjunction with the noise created by the position of Pump 1 on the plans

7.	23/01666/FULMAJ	17 Bartholomew Street, Newbury for Eden Retirement	Erection of a part four and part five storey 68 bed care home (class c2) with access and parking provisions (existing office building to be demolished).	No objection
8.	23/01768/LBC	33 - 34 Cheap Street, Newbury for Trustees of John Maxwell Penn (deceased) Will Trust	Retention of unauthorised works: Replacement of roof tiles	Objection/comment: concern was raised at yet another "Retrospective" application in the centre of a conservation area. Members are not happy with the fact that the applicant neglect to re-use any salvageable original tiles alongside similar modern tile It is requested that the Enforcement Officer investigate this.

Application for Prior Approval
Resolutions of Scheduled Prior Approval Planning Applications
11/09/2023

Running Order	Application Number	Location and Applicant	Proposal	NTC Response
1	23/02014/PACOU	6 Market Place Newbury for Market Place Newbury Ltd	Application to determine if prior approval is required for a proposed change of use of ground floor from shop (Class E) to residential dwellings (Class C3). Conversion to create 3 dwelling units.	Objection/comment: Prior approval should be required; this application is on the corner of prime retail area of the town centre.
2.	23/01842/PASSHE	267 Andover Road Newbury for Mr & Mrs N Norwell	Application to determine if prior approval is required for a proposed: Larger Home Extension. Proposed conservatory replacement. Dimensions 4.6m from rear wall, 3.85m maximum height, 2.66m eaves height.	Objection/comment: Prior approval should be required.

Planning and Highways Committee Meeting
Schedule of Planning Applications to be considered.

09/10/2023

Running Order	Ward	Application Number	Location and Applicant	Proposal
1.	CLAY HILL	23/01818/REG3	Faraday Road Football Ground Faraday Road Newbury for West Berkshire Council	The construction of an 8m high 'goal catch' fence constructed of a nylon weave netting on the north and south boundary spanning 46m at each end of the grass pitch area (92m total) to aid in the protection of local land users adjacent to the field while it is in operation.
2.	CLAY HILL	23/00688/HOUSE Amended Plans	21 Kiln Road, Newbury for Mr & Mrs Curtis	Demolition of existing single story garage; new garage with storage space above; and enlarged car parking area for 3 cars by extending parking area with gabion basket type retaining wall to western boundary Amended: 1) An amended site plan has been submitted to show a revised parking layout. 2) Elevation drawings to show the proposed gabion walls are submitted for clarity of the appearance. Previous comments submitted: Objection: Poor design of the new storage area over the garage and concerns about the retaining wall.
3.	SPEENHAMLAND	23/02186/CERTE	Goldwell Park Old Bath Road Newbury for West Berkshire Council	Regulation 3: This is a pump track within Goldwell Park, constructed 20 years ago, a dirt track with ramps and berms for use by the local community. This track had since fallen into disrepair and required replacement, the new track is within the boundary of the existing track location, but to meet modern standards and needs of the end users.
4.	WEST FIELDS	23/02094/FULMAJ	The Mall The Kennet Centre Newbury for Lochailort Newbury Ltd	Full planning permission for the redevelopment of the Kennet Centre comprising the partial demolition of the existing building on site and the development of new residential dwellings (Use Class C3) and residents ancillary facilities; commercial, business and service floorspace including office (Class E (a, b, c, d, e, f, and g)); access, parking, and cycle parking; landscaping and open space; sustainable energy installations; associated works, and alterations to the retained Vue Cinema and multi storey car park.
5.	WEST FIELDS	23/01967/FUL	Pound Court Pound Street Newbury for Opus AM	Additional storey plus side extension.

Application for Prior Approval

These are applications for Prior Approval under the 2013 amendments to Permitted Development. Because West Berkshire Council are required to inform nearby residents and display a public notice, West Berkshire Council is notifying the Parish / Town Council of the proposals in case interested parties should contact us. However, **we are not required to comment**, and the decision can only be taken based on the criteria set out in The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 [SI 2013No1101]. **Please be aware NTC are not allocated plans for us to consider**, but on-line details are available via the Application Number link.

Running Order	Ward	Application Number	Location and Applicant	Proposal
1.	SPEENHAMLAND	23/02175/PASOL	Winchcombe Place Maple Crescent Newbury for Care Home Care UK	Application to determine if prior approval is required for a proposed: Solar PV system totalling ~65kWp on the roof of Winchcombe Place Care Home - Care UK building. Panels will be mounted on flat roof area facing South. -The proposed system will be on a shallow pitched roof so the visual impact and risk of glare will be very low -Panels will be mounted less than 1000mm from the plane of the roof in all cases -Panels will not be sited within 1000mm of an external edge of the roof -Equipment will be removed from the roof once it reaches the end of its useful life.
2.	WEST FIELDS	23/01984/PACOU	First and Second Floors 1 - 3 Mansion House Street Newbury for Mansion House Newbury Ltd	Application to determine if prior approval is required for a proposed: Change of use from offices (Class E) to residential use (Class C3) as stipulated under Class MA of the GPDO. The proposed development provides for the conversion of the upper floors to create four dwelling units
3.	WEST FIELDS	23/02019/PASOL	Units C1 To C2 Faraday Road Newbury for Elis	Application to determine if prior approval is required for a proposed: Installation and operation of PV Solar Panels measuring 65kWp

Planning and Highways Committee Meeting
Schedule of Licensing Applications
01/08/2022

Resolutions	Licence	Applicant(S)	Premises
	Licensing Act 2003 (Premises Licences & Club Premises Certificates) Regulations 2005 Premises Licence – New Ref: 22/00769/LQN	Applicant: Zizzi	Location: 25 Market Place Newbury Berkshire RG14 5AA Proposal: Supply of Alcohol (On and off premises) 11:00 to 00:00 Monday to Sunday; Late Night Refreshment (Indoor and Outdoor) 23:00 to 00:30 Monday to Sunday; Recorded Music (Indoor) and Opening Hours from 11:00 to 00:30 Monday to Sunday. New Year's Eve - from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day for all activities and opening hours.

Newbury Town Council

Public Report

To: Planning and Highways Committee

Date of meeting: 9th October 2023

Agenda item No. 8. : Review of Planning Applications Consultation arrangements

(As listed on published agenda)

Decision Required: To Resolve that the current arrangements continue.

Background/ Introduction

The Planning and Highways Committee meeting on 24th April considered the report from the Chief Executive Officer, recommending that the Council review the process for responding to consultations on planning applications. Prior to that meeting, ALL applications received within the parish boundary were considered by the Committee. The report pointed out that over half of all the applications considered were for domestic extension works. A further 20% were for advertising signs and other minor commercial works. It was questionable if NTC should spend time and money writing to people in the vicinity of these proposals and taking the time to respond to them in Committee. The vast majority of these minor applications resulted in a “No Objection” response.

It was recommended that NTC saves officer and member time and money by not responding to minor applications. This would also give the Committee more time to deliberate and discuss the more significant applications. Nevertheless, it is important that members should decide which applications should go to Committee and which can go without a response from NTC.

The meeting agreed the following amendments:

1. When notified of each planning application, NTC officers would decide which application should be brought to the agenda and letters sent out. In considering this matter, the officers should have regard to the following criteria:
 - a. All applications which require *national or local* Listed Building consent should be on the agenda
 - b. All applications which result in an extra dwelling should be on the agenda
 - c. Any substantial non-residential proposals should be on the agenda.
 - d. *If there are any objections on the WBC Planning Portal, or if any member of the public has written to NTC about an item, the application should be added to the agenda.*

On the Friday before the agenda is due to be published, Officers now send to each Committee member a list of all applications notified since the previous meeting and indicating which applications will be included on the agenda for the next committee meeting.

Any Committee member can request that any other application on the list be included on the agenda (by 5.00 pm on the following Monday). In making such a request, the Committee member will be required to declare that they have no “Disclosable Pecuniary interest” or personal interest in the application.

The meeting commented that following the District Council elections there might be a review of the notification process by the Planning Authority. In the circumstances, it was agreed to trial this process for 3 months.

Issues arising/ Options considered

Since the revised process was introduced with the current committee, the average number of applications before each meeting of the committee has reduced from 18 applications down to 8 applications. This enables the committee to focus on more important and significant applications on behalf of the communities in Newbury. Officers feel that this is a more beneficial use of members’ time. There is also a saving in officer time and postage costs (it is estimated that postage costs have reduced by 100 and £70 per meeting, are almost 2000 pounds per annum)

Conclusion/ Recommendation

It is felt that the revised process has resulted in a better use of members time, allowing them to focus on more significant and important planning applications, with improved quality of response. Since it was introduced in May this year, we have not received any complaints from any member of the public or from any member of the council.

In the circumstances, given the benefits which have arisen from the revised process
Officers recommend that the Committee continues to operate in this manner.

It is open to any member of the committee at any stage in the future to raise any concerns relating to this matter, which can be considered by the committee at that stage

Report Author: Hugh Peacocke, (CEO)

Date: 28th September 2023.

Newbury Town Council

List of Section 215 Lands/Buildings

September 2023 Update

Land/Building		Owner/Responsible Person	Position as of 19/06/23	Comments/Proposed Further Actions
1.	The building south of the old post office (41, Cheap Street)	Living Club Ltd	<p>Amended application <u>20/01210/FULD</u> for “alterations to ground floor retail space and conversion of part of ground floor and first floor into a 6 bed HMO”, approved by WBC on 10/06/2022</p> <p>NTC P&H Committee Comment – “We support this application. Cllr Vaughan Miller abstained” (15/11/2021)</p> <p>No visual progress yet made (as of 28/07/2022).</p>	Request update from Enforcement
2.	The back of the British Heart Foundation shop (on the canal)	BHF	<p>Awaiting planning application.</p> <p>“Our consultants are currently out to tender with a comprehensive package of external works, of which include the repairs to the rear elevation. I am anticipating tenders to be returned in the next two weeks and we should be in a position to place an order shortly after that.” (22/07/2022)</p>	Pursue with BHF and refer to enforcement
3.	Newbury Railway Station - the land from the ticket office to Cheap Street	Network Rail	Contacted Great Western about them pursuing this with Network Rail or forward on a contact. (12/07/2022)	Pursue with GWR
4.	Wharf Street	Public highway, where businesses leave their rubbish bins, which is now a high-profile, strategic entrance to the town centre since the new bus terminal opened	<p>From the BID:</p> <p>“West Berkshire Council are dealing with this and have been taking enforcement action, but from what I understand their powers are limited. We have asked businesses to label their bins, but unfortunately we don’t have any power to enforce this request and none have chosen to take this action thus far. We have highlighted the need for a place for bin storage in this area as part of WBC’s proposals for The Wharf. We have another site visit with WBC scheduled for next week (w/c 8th Aug) and will continue to raise this issue with them.” (02/08/2022)</p>	Ask WBC to consider this matter in the context of The Wharf re-development proposals

Land/Building		Owner/Responsible Person	Position as of 19/06/23	Comments/Proposed Further Actions
5.	The BT Tower	Initial response from BT was that Tellereal Trillium are the owners, as the building was part of a sale and re-lease programme undertaken by BT in the early part of this century. The lease runs until 2030. However, TT pointed out that BT are responsible for the upkeep of the building.	Submitted to the WBC Planning Enforcement team. It was deemed that there was “insufficient [visual] harm to warrant the service of a formal [Section 215] Notice” (Received on 15/03/2022)	Resubmit request to WBC Planning Enforcement.
6.	The land to the east of Fir Tree Lane and the junction with London Road		S215 warning letter sent by WBC (02/08/2022).	Request update from Enforcement
7.	380, London Road, Newbury, RG18 3AA		S215 warning letter sent by WBC (02/08/2022).	Request update from Enforcement
8.	the 2 empty houses, 45 and 47 Cromwell Road, Newbury, RG14 2HP		S215 warning letter sent by WBC (02/08/2022).	Request update from Enforcement
9.	88 West Street		Submitted to the WBC Planning Enforcement team. Followed up on 15/07/2022.	Request update from Enforcement
10.	65 Kingsbridge Road, Newbury		Submitted to WBC for S215 enforcement action on 04/10/2022.	Request update from Enforcement. Dual-hatted member to submit motion to WBC?
11.	Monument Close - area around shops and shops	Agent? Owner?	NTC contacted agent, problems persist.	Refer to enforcement. Advise agent/ owner.

Newbury Town Council

Forward Work Programme for Planning and Highways Committee: 11 September 2023.

Standing Items on each (ordinary meeting) agenda:

1. Apologies
2. Declarations of Interests and Dispensations
- 3.1 Approval of Minutes of previous meeting
- 3.2 Officer's report on actions from previous meeting
4. Questions/Petitions from members of the Public
5. Questions/Petitions from Members of the Council
6. Schedule of Planning Applications
7. Schedule of Prior Approval Applications (if any)
8. Schedule of Licensing Applications (if any)
9. Schedule of Appeal Notifications (if any)
10. Schedule of Appeal Decisions (if any)
11. Neighbourhood Development Plan – Update (if any)
12. The Western Area Planning Committee – Update

At the first Committee meeting after the annual meeting of the Council	Election of Chair/ Deputy
	Approval of ToRs and memberships of Working Groups
June/September/December/March (Quarterly)	Updates on Section 215 of the Town and Country Planning Acts.
Each November	Review of KPI's for Planning and Highways Committee
	Send Budget and Strategy proposals to RFO
2023	
17 July	Kennet Centre Appeals
14 August	Sandleford West response (23/01585/OUTMAJ)
11 September	Review of Planning Applications consultation arrangements (deferred to October)
9 October	Updates on Section 215 of the Town and Country Planning Acts.
	Review of Planning Applications consultation arrangements
6 November	Review of KPI's for Planning and Highways Committee
	Send Budget and Strategy proposals to RFO