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

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

**23/08/2021 at 7:30pm/19:30.**

**Present**

Councillors; Nigel Foot (Chairperson); Gary Norman (Deputy-Chairperson); Tony Vickers; Phil Barnett; Roger Hunneman; Andy Moore; Jeff Beck; David Marsh; Billy Drummond

**In Attendance**

Darius Zarazel, Democratic Services Officer

**32. Apologies**

Apologies received from Councillor’s Pam Lusby Taylor, Jo Day, and Vaughan Miller.

**33. 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.”

**34. Minutes**

**34.1 Proposed:** Councillor Jeff Beck

**Seconded:** Councillor Billy Drummond

**Resolved:** That the minutes of the meeting of the Planning & Highways Committee held on 02/08/2021, be approved as amended, and signed by the Chairperson.

On item 22, Declarations of Interest and Dispensations, remove Councillor Tony Vickers as he sent in his apologies.

**34.2 Officers report on action from previous meeting:**

A) On writing to Sport England to request that they reinstate their objection to the Faraday Road application, [20/02402/REG3](http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/02402/REG3), the Councils comments were sent, and Sport England provided a confirmation of receipt.

B) On writing to West Berkshire Council (WBC) to support the comments made by Councillor Jeff Beck on the same Faraday Road application, the message has been sent to the applications case officer.

C) On Councillor Stuart Gourley’s members question about petitioning WBC for the repainting of road markings at the entrance to Newport Road, and an investigation into speeding further into the road, around Pike Street and Walton way, I have received confirmation that a 28-day order for some of the line renewal has been issued, including the ‘give way’ junction markings and the centre line throughout Walton Way. The WBC Traffic and Road safety team will also conduct a survey into speed and traffic volumes. This data will be used to judge whether further measures are needed.

**36. Questions and Petitions from Members of the Public**Questions received from Paula Saunderson:

*1)* *“Will Newbury Town Council – as a manager and/or owner of land – resolve to meet the new requirements of the Central Government BNG Metric 3.0 for at least 10% BNG (Biodiversity Net Gain) when undertaking any changes to NTC managed or owned lands and buildings, including playgrounds, recreational areas, and all other public open spaces?”*

*2) “Will Newbury Town Council – as a manager and/or owner of land – resolve to incorporate the requirements of WBC SuDS (2018) SPD, specifically in respect of Principle 8, when undertaking any changes to NTC lands or buildings?”*

*3) “Will Newbury Town Council resolve to include within the planned Neighbourhood Development Plan (NDP) a set of individual Ward Plans which reflect the latest requirements at Government & Local Authority level for Cumulative Impact of Developments on Flood Risk in a Catchment Area?*

*4) “Will Newbury Town Council Planning & Highways Committee resolve to have subject matter expertise to enable commenting on Flood Risk Assessments, Arborist Reports, and Ecology Reports within individual planning applications?”*

 Response from the Chairperson:

 “Thank you for your questions, I will respond in turn:

1) The ongoing and future use of Newbury Town Council (NTC) owned and/or controlled land and buildings is the purview of the Community Services Committee. In that regard I request that this petition be forward to the Community Services Team for an answer to be presented at the next Community Services Committee meeting on the 20th of September.

2) As this petition is also referring to how NTC manages its owned and/or controlled land and buildings, I will also request that this be forwarded onto the Community Services team.”

3) Part of the task of completing a NDP is the setting up of Steering Group (SG). This SG is the body that will research and put together the policies that make up Newbury’s NDP. For this reason, it is not for the P&H Committee to make any resolutions on policy yet.

When the SG do discuss policy, this request, for a policy that requires the cumulative impact of developments on flood risk in a catchment area to be assessed, will be discussed. However, our NDP area is the Parish of Newbury, with broader issues needing to be addressed by West Berkshire Council. Also, as the NDP will abide by the National Planning Policy Framework, and the Local Plan, if this request is contained within these documents, the NDP will not need to cover this policy as well.

4) Newbury Town Council are consultees in the Planning Process with the ultimate decision being made by the Planning Authority. Your concerns regarding subject matter expertise to address Flood Risk Assessments, Arborist Reports, and Ecology Reports within individual planning applications should be referred to the Planning Authority, that is West Berkshire Council.”

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

*“Drones have become part of society during the last few years. They come in various shapes and sizes and although a great benefit in terms of surveillance, the noise generated by some, and the intrusion above properties, have not gone unnoticed.*

*Recently, over the weekend of the Newbury races, residents were continually hearing buzzing noises above their houses.*

*Therefore, can this P&H Committee of Newbury Town Council establish whether these drones were operating legally and whether there is any mechanism in place for residents to report incidents such as the recent event described.”*

Response from the Chairperson:

“Thank you for your question. Drone usage has taken off over the past few years and they are widely available for members of the public. If you own a drone for personal use, you are governed by the Civilian Aviation Authorities (the CAA’s) Air Navigation Order 2016, specifically article 241, 94, and 95. Drone users should ensure that their drone is in sight at all times, below 400ft, and that the drone is never flow over a congested area or within 50 meters of a person, vehicle, or building not under their control. You can be prosecuted for breaking the law.

If you have evidence of a drone being flown in breach of one of the points previously mentioned, you can report this on the [CAA’s Website](https://applications.caa.co.uk/CAAPortal/servlet/SmartForm.html?formCode=ABL). It should be noted that the vast majority of drone users are responsible and abide by the law.

For more information about drone usage, visit the [government guidance page on Drones](https://www.gov.uk/government/news/drones-are-you-flying-yours-safely-and-legally), [dronesafe.uk](https://dronesafe.uk/), or the [CAA’s website](https://www.caa.co.uk/Consumers/Unmanned-aircraft-and-drones/).”

 Questions received from Tony Vickers:

*“I have three questions relating to the Neighbourhood Development Plan:*

*1) When and how do we form the steering group?*

*2) How does the Town Council relate to the steering group, i.e. once we have formed it, do we step back and lose control over the Plan’s progress?*

*3) Where the SLA refers to “Local Plan evidence base” being made available to us (on request, not automatically), which Local Plan is this? I presume it is the ‘emerging’ new one, not the one that may well be replaced by the time we adopt our NDP.”*

Response from the Chairperson:

“Thank you for your questions, I will also respond to these in turn:

1) The Steering Group (SG), as shown in Step 8 of the NDP Project Plan, will be comprised of both Councillors and members of the local community. When the time comes to establish the SG, an advertisement will be published which describes what a NDP is and also what we are looking for in a SG member. It will be on the Planning & Highways Committee to determine who becomes a member of the SG. The terms of reference will be compiled by NTC Officers before also being ratified by this Committee. The inaugural meeting of this SG is targeted to occur before the end of this calendar year, 2021.

2) The SG will report back to this Committee. A Standing Item called a ‘NDP Progress Update’ has also been added to the Forward Work Programme to reflect this. However, it is the SG that will discuss, research, and present the NDP.

3) Under the ‘Professional Advice and Assistance’ section of the SLA, the District Council have specified that they will provide “advice and assistance on… up to date information on the Local Plan”. We have also got this confirmed by the WBC NDP Support Officer who said that they will keep the SG updated on the Local Plan Review progress.”

**Proposed:** Councillor Jeff Beck

**Seconded:** Councillor Andy Moore

**Resolved:** To temporarily suspend Standing Orders to allow for Councillor Gary Norman’s members question to be heard.

Questions received from Gary Norman:

*“At a meeting of Planning and Highways on 10th May 2021, we heard a Pre-Application Consultation: entitled “Proposed 5G Telecommunications Installation for H3G” referring to a plan to install an 18m mast in Link Road in Newbury.*

*To quote from the document:*

*“The purpose of this letter and its enclosures is to inform stakeholders of our proposed installation prior to the submission of a formal planning application.”*

*At our request, the DSO wrote to the applicants requesting further information about why this sight was chosen and why it was necessary to build such a large structure in a residential area.*

*Members may recall that we received a written answer, which I regarded as inadequate, verging on patronising, and I was looking forward to challenging this as part of the usual planning process.*

*As members are also no doubt aware, this mast has now actually been built, and the planning authority has decided that “PRIOR APPROVAL IS NOT REQUIRED”.*

*To quote a government research briefing from the House of Commons Library dated 12/8/21:*

*“Prior approval” from the local planning authority regarding the siting and appearance of the development is required in certain circumstances, including all ground-based mobile masts.”*

*Will the DSO write to the local planning authority to ask them to clarify the details of this decision?*

*Also, bearing in mind that Hutchison is just one of a number of private companies in this field, none of whom, as far as I can gather, share each other’s equipment, can we ask for an explanation of what protection the people of Newbury have from potentially dozens of these masts springing up all over the town?”*

Response from the Chairperson:

“Thank you for this question. I will request that the DSO write to WBC to ask them to clarify their decision and also to ask about what protections are in place that would protect Newbury from the further proliferation of these masts.”

**38. Schedule of Planning Applications**

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

**39. Schedule of Prior Approval Applications**

Resolved that the observations recorded as Appendix 2 to these minutes be submitted to the planning authority.

**40**. **Kennet Centre Redevelopment Application Revision**

The Committee received and noted apresentation from Lochailort, the developers of the Kennet Centre redevelopment applications [21/00379/FULMAJ](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/00379/FULMAJ) and [21/00380/FULMAJ](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/00380/FULMAJ), on amendments to these applications.

Key information included that the height of the tallest buildings have been reduced from 11 to 9 stories, and that they will install ground source heat pumps for the buildings.

Lochailort to provide the presentation and revised elevations to the Councillors in anticipation of the amended planning applications.

**41. Motion received from Councillor Vaughan Miller**

**Proposed:** Councillor Tony Vickers

**Seconded:** Councillor David Marsh

**Resolved** (unanimously)**:** That this Committee hold a cross-party meeting with Sport England so as to better understand their position regarding the future of football facilities in Newbury, in light of the Newbury Town Council Strategy position on the Football Ground and the District Council’s current proposals. This meeting will be either held at the next P&H Committee meeting, on the 13th of September, or through an extraordinary P&H meeting at some point before that.

**42. Consultation: Bus Services Improvement Plan**

The Committee’s suggestions for the West Berkshire Council Bus Service Improvement Plan were:

- As a priority, to better coordinate bus services with the railway station and create a more integrated bus system. A shuttle bus between key sites (from the rail and bus station to the retail park or park way, for example) was also mentioned

- That the buses be converted to carbon neutral as soon as possible (potentially to either to electrical or hydrogen power)

- Real-time signage at buses stops about how long the next bus will be

- More shelters and benches at bus stops

- Explore bus services on Sundays and evenings

- Need to consider buses into the town centre from any new developments above a certain size.

**Proposed:** Councillor Nigel Foot

**Seconded:** Councillor Gary Norman

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

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

**43.1** The Committee received and noted the Neighbourhood Development Plan progress report and the Project Plan.

 Key information included:

That the Newbury NDP neighbourhood area, the Parish of Newbury, has been confirmed by WBC.

The next steps that NTC will take is to apply for funding and to recruit a planning consultant.

The inaugural meeting of the NDP Steering Group (SG) is targeted to take place before the end of this calendar year, 2021. This SG will be comprised of both relevant members of the local community and NTC Councillors.

**43.2** **Proposed:** Councillor Gary Norman

**Seconded:** Councillor Tony Vickers

**Resolved:** That a NDP Planning Consultant review the Newbury Town Council – West Berkshire Council Neighbourhood Development Plan Service Level Agreement and that it be signed and submitted to West Berkshire Council.

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

An update from the Joint Working Group was received and noted by members.

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

An update from the Western Area Planning (WAP) Committee was received and noted by members.

**Proposed:** Councillor Tony Vickers

**Seconded:** Councillor Roger Hunneman

**Resolved:** That Councillor Billy Drummond be appointed as NTC’s representative on the site visit for the Great Newbury Christmas Carnival application at Newbury Racecourse, reference [21/01079/COMIND](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01079/COMIND), and submitted as a speaker at the WBC Western Area Planning Committee on the 1st of September, to present the Town Council’s comments.

**46. Newbury Community Football Ground**

An update on the Newbury Community Football Ground was received and noted by members.

**47. To Affix the Council’s Seal**

**Proposed:** Councillor Nigel Foot

**Seconded:** Councillor Billy Drummond

**Resolved:** That the Council seals the tenancy agreement for Suite 7 in the Town Hall, Newbury.

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

No further items were added to the Forward Work Programme.

**There being no other business, the Chairperson declared the meeting closed at 22:15 hrs.**

**Chairperson**

**Appendix 1**

**Planning and Highways Committee Meeting**

**Schedule of Planning Applications 23/08/2021**

|  |  |  |  |  |  |
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| **Running Order**   | **Resolutions**  | **Ward**   | **Application**  **Number**   | **Location and Applicant**   | **Proposal**   |
| 1. | No objection. | Adjacent Parish | [21/01822/FUL](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01822/FUL) | Rocking Horse Nursery, Racecourse Road, Newbury, RG14 7NZ, for Newbury Racecourse | Erection of single storey extension, new toy store and refuse store. Replacement of existing bank with stone-appearance retaining wall and fence above toincrease the size of the external play area. |
| 2. | No objection. | Adjacent Parish | [21/01948/HOUSE](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01948/HOUSE) | 20 Speen Lane, Newbury, RG14 1RW, for Mr & Mrs Scott | Proposed two Storey Side extension and Associated Internal Alterations. |
| 3. | No objection. | East Fields | [21/01820/FUL](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01820/FUL) | CMS Downs Carpets, Hambridge Road, Newbury, RG14 5UP, for Spire Bricks and Mortar Ltd | Alterations to an existing building, including partial demolition, and use as altered as a builders merchant (storage, distribution, trade counter, offices and ancillary retail sales) new fencing and associated works. |
| 4. | No objection. | East Fields | [21/01884/HOUSE](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01884/HOUSE) | 19 St Johns Road, Newbury, RG14 7PY, for Mr J. Athersmith | Proposed installation of a 'Unibox' type Gas Meter to the front of residential property. |
| 5. | No objection subject to sufficient pedestrian access. | East Fields | [21/01920/FUL](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01920/FUL) | Newbury Retail Park, Pinchington Lane, Newbury, RG14 7HU for F&C Commercial Property Holdings Ltd | Alterations to existing access road and drive-thru. |
| 6. | No objection. | Wash Common | [21/01880/HOUSE](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01880/HOUSE) | 2 Charter Road, Newbury, RG14 7EN, for Mr & Mrs Adams | Demolition of existing detached garage and construction of attached single-storey side elevation extension. |
| 7. | Strong objection based on it being an overdevelopment, causing potential parking issues and limiting emergency vehicle access. | Wash Common | [21/01911/FULD](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01911/FULD) | Land Adjoining 11 Pond Close, Newbury, for A, D and E Property Ltd | Removal of derelict garages and erection of 2 no houses and 2 no flats, together with associated landscaping and parking. |
| 8. | No objection. | Wash Common | [21/01910/HOUSE](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01910/HOUSE) | 31 Valley Road, Newbury, RG14 6ET, for Mr Doney & Mrs Hayward | Demolition of existing conservatory and replacement with single storey rear extension and single storey extension to side for extended kitchen dining and utility room. |
| 9. | No objection. | Wash Common | [21/02003/HOUSE](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/02003/HOUSE) | 18 Paddock Road, Newbury, RG14 7DG, Mr & Mrs Fry | Proposed Rear Conservatory. |
| 10. | No objection. | West Fields | [21/01864/FULD](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01864/FULD) | Land To The Rear Of 15 Leys Gardens, Strawberry Hill, Newbury, RG14 1XJ, for Mr D Rivers | Full planning application for a revised design to a new single storey dwelling, with parking, landscaping & associated works (as previously approved under West Berks ref: [19/02090/FULD](http://planning.westberks.gov.uk/rpp/index.asp?caseref=19/02090/FULD)) |
| 11. | We support this application. | West Fields | [21/01994/LBC2](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01994/LBC2) & [21/01993/FUL](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01993/FUL)  | 27 Market Place, Newbury, RG14 5AA, for Sanctuary | Windows, door, guttering, roof tiles replacement, rendering and new extract ventilation grille. |
| 12. | We support this application. | West Fields | [21/02081/LBC2](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/02081/LBC2) & [21/02080/FUL](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/02080/FUL)  | Flat 3, 53 Cheap Street, Newbury, RG14 5BX, for Mr H Wee | Replacement Windows. |

**Appendix 2**

**Schedule of Applications for Prior Approval**

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| **Running Order** | **Resolution**  | **Ward**   | **Application**  **Number**   | **Location and Applicant**   | **Proposal**   |
| 1. | To ask WBC to require a planning application. | Clay Hill | [21/02021/PASSHE](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/02021/PASSHE) | Willow Tree Cottage, 29 Skyllings, Newbury, RG14 2BB, for Miss G. Kirby |  Application to determine if prior approval is required for a single storey rear extension to match existing materials. |
| 2. | To ask WBC to require a planning application. | West Fields | [21/01979/PACOU](http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01979/PACOU) | First, Second, and Third Floor, 123 - 126 Winchcombe House, Bartholomew Street, Newbury, RG14 5BN, for Mr A Croft | An application to determine if prior approval is required for a proposed Change of Use of a building from Office (Use Class B1) Use to a use falling within Use Class C3 (Dwellinghouse) to form 5 flats at first, second and third floor levels. |