

MINUTES OF A MEETING OF THE PLANNING AND HIGHWAYS COMMITTEE HELD IN THE COUNCIL CHAMBER, NEWBURY TOWN COUNCIL, MARKET PLACE, NEWBURY ON MONDAY 26 MARCH 2018 AT 7.30PM.

PRESENT

Councillors Jeff Beck; Adrian Edwards; Lynne Doherty (named substitute); John Gardner; Elizabeth O'Keeffe; Anthony Pick (Chairperson); Kuldip Singh Kang; Andrew Steel.

In Attendance

Hugh Peacocke, Chief Executive Officer
Margaret Gore, Corporate Services Officer

160. APOLOGIES

Councillors Jeanette Clifford, Jo Day, Miles Evans, Dave Goff.

ABSENT: Councillor Tony Stretton.

161. DECLARATIONS OF INTEREST

The Chief Executive Officer declared that Councillors Jeff Beck, Lynne Doherty, Adrian Edwards, and Anthony Pick 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.

The Chief Executive Officer made the following statement on behalf of Councillors Jeff Beck, Adrian Edwards and Anthony Pick who are Members of West Berkshire Council Planning Committee and Councillor Lynne Doherty who is a substitute Member on that 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."

In considering the following application, Councillor John Gardner declared that he had been lobbied by the neighbours: **18/00614/HOUSE**

In considering the following application, Councillor Elizabeth O'Keeffe declared that she had met with the applicant: **18/00195/HOUSE**

162. MINUTES

PROPOSED: Councillor Jeff Beck

SECONDED: Councillor Elizabeth O'Keeffe

RESOLVED: That the minutes of the meeting of the Planning & Highways Committee held on Monday 5 March 2018, be approved and signed by the Chairperson.

163. QUESTIONS AND PETITIONS FROM MEMBERS OF THE PUBLIC

There were none.

164. MEMBERS' QUESTIONS AND PETITIONS

There were none.

165. SCHEDULE OF PLANNING APPLICATIONS

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

166. SCHEDULE OF PRIOR APPROVAL APPLICATIONS

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

167. SCHEDULE OF PLANNING DECISIONS

Information was received and noted by the Committee.

**168. TOWN AND COUNTRY PLANNING ACT 1990
APPLICATION NO: 17/01333/LBC2 – 154 BARTHOLOMEW STREET, NEWBURY -
CHANGE OF USE OF FIRST, SECOND AND THIRD FLOOR FROM OFFICE (B1) TO
RESIDENTIAL USE (C3) TO FORM 2X 2 BED AND 1X 1 BED APARTMENTS.**

PROPOSED: Councillor Jeff Beck

SECONDED: Councillor Elizabeth O'Keeffe

RESOLVED: That Newbury Town Council's original comment of "No objection" be amended to say: "We support the position of West Berkshire Council's Conservation Officer, that the proposed dormer windows would damage the architectural integrity of the Grade II listed building, break the existing roof form, and be out of keeping in the Conservation Area."

169. UPDATE FROM THE WESTERN AREA PLANNING COMMITTEE

One case regarding Land south of Newbury College, Monks Lane for West Berkshire Council, which was approved.

170. NEWBURY TOWN PLAN

The CEO, Mr Hugh Peacocke informed Members that the consultation closed on 18th March 2018 and that 101 responses had been received from various interested parties. These will now be summarised and considered by the Steering group, which will convene before the end of April. It is the intention to bring the final draft of the Town Plan to Council for approval in June.

171. SANDLEFORD PARK WORKING GROUP – UPDATE

There were no updates.

172. PRESENTATION OF PLANNING APPLICATIONS AT COMMITTEE MEETINGS

PROPOSED: Councillor Adrian Edwards

SECONDED: Councillor Kuldeep Singh Kang

RESOLVED: That the digital presentation of plans for future meetings of the Committee be approved and that the purchase of a larger screen and a better projector at an estimated cost of £1,500 be approved. It was suggested that a projector be sort that has the ability to “Zoom in” and with the possibility of it being “Bluetooth” capable.

THERE BEING NO OTHER BUSINESS THE CHAIRPERSON DECLARED THE MEETING CLOSED AT 21.23HRS

CHAIRPERSON

Draft

PLANNING AND HIGHWAYS COMMITTEE MEETING

SCHEDULE OF PLANNING APPLICATIONS – RESOLUTIONS

RUNNING ORDER	RESOLUTION	APPLICATION NUMBER	LOCATION AND APPLICANT	PROPOSAL
1	No objection	18/00574/ADV	Turnpike Industrial Estate, Turnpike Road, Newbury for Greenham Trust	Two free standing advertisements at the entrance to Turnpike Industrial Estate
2	Objection/comment: 1) Newbury Business Park is zoned for business development, not housing, in the Core Strategy, and the application would contravene our policy of encouraging new business to come to Newbury. 2) The site is unsuitable for residential development as it is not close to schools and shops, and business traffic patterns are unsafe for children. 3) The development would put at risk two mature and attractive Scots Pines on the site. 4) The space has already been allocated as amenity space for the flats planned under Permitted Development Rights for the adjoining Riverdale Court.	18/00440/FULMAJ	Newbury Business Park, London Road Newbury for Stonegate Land and Property	Proposed development of 10 x 2 bedroom flats
3	No objection	18/00526/HOUSE	3 Reed Walk, Newbury for Mrs Ford	Rear single storey flat roof extension to provide kitchen. Front porch extension, internal alterations to provide ground floor shower room and sleeping accommodation
4		18/00504/CERTE	53B Kingsbridge Road, Newbury for Mr & Mrs Dearlove	Certificate of lawfulness of existing office use
5	No objection	18/00629/HOUSE	55 Essex Street, Newbury for Mr & Mrs T Williams	Two storey extension to rear of dwelling
6	No objection	18/00517/HOUSE	6 Cary Close, Newbury for Mrs Appleby	Proposed rear conservatory and front porch
7	Objection/Comment: the proposed development is disproportionately large in relation to the existing dwelling and would deny light to and overlook the neighbours. We suggest that discussions take place between the	18/00541/HOUSE	37A Russell Road, Newbury for Peter Richardson	Demolish single-storey garage and rear conservatory. Proposed two-storey side and rear extensions and loft conversion, to create large family home. Widen existing dropped kerb access to provide 4no off-road parking spaces

	applicant and the neighbours to address their concerns by suitable modifications. A possible solution could be that the new roofline is hipped rather than gabled.			
8	No objection	18/00424/HOUSE	10 St Georges Avenue, Newbury for Mr & Mrs Horton	Erection of a single storey rear extension
9	No objection	18/00494/FUL	Unit 14, Newbury Retail Park, Pinchington Lane, Newbury for F and C Commercial Property Holdings Limited	Change of permitted use from A1 to A3
10	Objection/Comment: the proposed extension would overshadow and deny light to the garden room of 69 Rectory Close. As this has been the main living room of 69 Rectory Close for 15 years, it would adversely impact their quality of life.	18/00614/HOUSE	67 Rectory Close, Newbury for Mrs C Archibald	Single storey rear extension and associated internal alterations
11	<p>Objection/comment:</p> <p>1) The proposed development would be disproportionately large and monolithic, out of keeping with the Conservation Area.</p> <p>2) We support the position of the Newbury Society, that its overbearing height would compromise the setting of the Grade II* listed 28 Bartholomew Street. We do not agree with the applicant's assertion that 28 Bartholomew Street is "unremarkable". We consider that 28 Bartholomew Street is a distinguished 18th Century building whose character enhances the street scene, which should be protected.</p> <p>3) We agree with the objection of the Highways Officer to the removal of existing parking spaces and the lack of sufficient parking for the proposed flats.</p> <p>4) The location of bicycle stores on each floor would be inconvenient to residents; bicycle stores should be located on the ground floor according to normal practice.</p>	18/00382/FULEXT	25 Bartholomew Street, Newbury for Emarek Ltd	Erection of 8no. Apartments, conversion, extensions (rear and third floor) and alterations to existing building to create 16no. Residential units (C3) and retail space (A1) at ground floor level. Associated parking, turning, landscaping, amenity space, and storage for bicycles and refuse

12	No objection/comment: provided that the parking requirements are implemented	18/00325/HOUSE	15A Newport Road, Newbury for Alan Kermarrec	Garage conversion and porch extension
13	Objection/Comment: overshadowing and loss of light to the living accommodation of 62 York Road	18/00547/HOUSE	61 York Road, Newbury for Husky Design Ltd	Additional alteration to the rear of the premises, extending dormer and additional roof lights to front of the house
14	Objection/comment: the proposed extension would overshadow and deny light to the courtyard of the Grade II listed 89 Shaw Road, the courtyard of 89A Shaw Road, and the five houses in Wheatsheaf Lane. The plans are not of good enough quality to assess the effects of the application correctly. No orange notice has been erected.	18/00195/HOUSE	87 Shaw Road, Newbury for Mr J Howell	Two storey extension to rear elevation
15	No objection	18/00276/LBC2	4A Mansion House Street, Newbury for The Thomas Gray Partnership Ltd	Installation of a new fibre optic cable for provision of internet services
16	Objection/comment: we consider that the requirement of the original application 17/03116 to erect an acoustic fence were based on sound grounds and should be implemented	18/00544/COMIND	Car Park Land at B S T Fitness, Park Way, Newbury for Rotterdam Properties Ltd	Section 73A: Removal of condition 5 'acoustic fence' of previously approved application 17/03116/COMIND
17	No objection	18/00307/RESMAJ	Land East Of Tull Way, Thatcham for Bloor Homes	Approval of reserved matters following appeal permission APP/W0340/W/16/3163018 (outline application for the erection of 75no. dwellings associated access and public open space. Matters to be considered: Access). Matters to be considered: Appearance, Landscaping, Layout and Scale
18	No objection	18/00529/FULEXT	Land West Of New Road North Of Pyle Hill Newbury for Rivar Ltd	Erection of 36 dwellings, roads, ancillary structures, amenity open space and landscaping, with access to New Road.
19	Objection/comment: Nine fascia signs are an excessive number for marketing purposes	18/00179/ADV	Land On North Side Of Pyle Hill Newbury Berkshire for David Wilson Homes	9 x Fascia signs to marketing suite
20	No objection	18/00180/ADV	Land On North Side Of Pyle Hill Newbury Berkshire for David Wilson Homes	Signage to Temporary marketing cabin
21	No objection	18/00390/FUL	Land On North Side Of Pyle Hill Newbury Berkshire for David Wilson Homes	Temporary marketing cabin and flagpoles

APPLICATION FOR PRIOR APPROVAL

RUNNING ORDER	RESOLUTION	APPLICATION NUMBER	LOCATION AND APPLICANT	PROPOSAL
1	Objection/comment: a planning application should be submitted. Alternatively, an Article 4 Direction should be sought. The zoning of land for commercial use in the Local Plan should be respected, in order to support the encouragement of businesses to come to and remain in Newbury. The site is unsuitable for residential development as it is not close to schools and shops, and business traffic patterns are unsafe for children. There is a risk that future applications for commercial purposes will be compromised by the residential requirements of commercial accommodation which has been converted	18/00631/PACOU	Emerald House, Newbury Business Park, London Road Newbury for Lipman Properties	Change of use from offices (B1a) to 138 residential units (C3)
2	No objection	18/00613/PASSHE	50 Conifer Crest, Newbury for Mr & Mrs Rider	Single storey rear extension 6.825m from rear wall x 2.63m maximum height x 3.66m at eaves

**PLANNING AND HIGHWAYS COMMITTEE MEETING
16 APRIL 2018**

SCHEDULE OF PLANNING APPLICATIONS

RUNNING ORDER	WARD	APPLICATION NUMBER	LOCATION AND APPLICANT	PROPOSAL
1	CLAY HILL	18/00695/HOUSE	2 Monica Gardens, Newbury for Neil Phillips	First floor extension over existing garage to create a music room
2	FALKLAND	18/00779/HOUSE	50 Conifer Crest, Newbury for Mr & Mrs Rider	Two storey side extension including remodelling of property with lean to porch roof, sash window, slate roof, render and cladding to walls
3	PYLE HILL	18/00718/ADV	Unit 14, Newbury Retail Park, Pinchington Lane, Newbury for Mountain Warehouse	Proposed 1 x fascia sign
4	VICTORIA	18/00093/LBC2	50 Cheap Street, Newbury for Harris Hair	Repair and replace rotten wood surrounding windows and door on ground floor
5	VICTORIA	18/00772/HOUSE	48 Kings Road, Newbury for Mr Resteghini	2 storey and single storey extensions
6	VICTORIA	18/00644/REM	108 Bartholomew Street, And Land To The Rear Of, Newbury for Ressance Limited	Reserved matters application following approval of outline planning permission 17/00517/OUTD - Matters to be considered: Landscaping
7	VICTORIA	17/03526/FULD	Land To The Rear Of, 39 Oxford Street, Newbury for Trustees Of Festival House Business Centre Pension Fund	Erection of 1no. 1 bedroom and 1no. 2 bedroom flats with associated parking and private amenity space
8	VICTORIA	18/00674/FUL	12 Market Place, Newbury for J D Wetherspoon	Extension of existing beer garden to rear of existing pub
9	VICTORIA	18/00792/FUL	Whitequay Ltd, Faraday Road, Newbury for Newbury News Ltd	Change of use of existing motor dealership (Sui Generis) to Offices (B1 (a)) with associated parking
10	VICTORIA	18/00675/LBC2	12 Market Place, Newbury for J D Wetherspoon	Extension of existing beer garden to rear of existing pub
11	VICTORIA	18/00694/HOUSE	121 Boundary Road, Newbury for Mr & Mrs Parker	Single storey rear extension following the demolition of existing. Conversion of existing loft with the creation of new rear dormer and front roof lights
12	VICTORIA	18/00700/ADV	21 Northbrook Street, Newbury for Hog and Hedge Whiddon Down Services	1 x externally illuminated wooden planked fascia painted brand green with painted white letters A. 1 x non illuminated timber planked fascia painted brand green with white letters B. 1 x non illuminated wooden planked timber double sided panel on new steel bracket C. 1 x non illuminated sign written direct to painted brickwork D
13	Adjacent Parish (PYLE HILL)	18/00389/FULD	Land On North Side Of Pyle Hill, Newbury for David Wilson Homes	Marketing suite Plot 1 and associated flagpoles

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	FALKLAND	18/00664/PASSHE	17 Spencer Road, Newbury for Mr & Mrs G Bullard	Orangery extension. 7.991m beyond the rear wall, 3.525m height, 3.000m height at the eaves
2	PYLE HILL	18/00659/PASSHE	7 Courtlands Road, Newbury for Henry Francis	Single storey extension across rear of existing property to accommodate kitchen and dining area. 5m extend beyond the rear wall, 3.5, height, 2.5 height at eaves

**PLANNING AND HIGHWAYS COMMITTEE MEETING
16 APRIL 2018**

SCHEDULE OF APPEAL DECISIONS MADE BY THE PLANNING INSPECTORATE

APPLICATION NO.	LOCATION AND APPLICATION	PROPOSAL	NTC OBSERVATIONS
<u>16/03437/FUL</u>	The Flat, The Nags Head, 91 Bartholomew Street, Newbury for Mr Nicholas Roffe	Replace the existing unapproved fenestration with fenestration to match those approved by the Conservation officer, but using different materials	Objection/comment: We support the continued insistence by the Conservation Officer that traditional materials should be used for the windows of this building in the conservation area, in accordance with the previous appeal decision
Planning Inspectorate's decision – The appeal is dismissed (A copy of the notice will be available at the meeting)			

APPLICATION NO.	LOCATION AND APPLICATION	PROPOSAL	NTC OBSERVATIONS
<u>16/03562/OUTD</u>	Upcot, Tydehams, Newbury for Mr Brian Willis	Renewal of application 01/00254. Demolition of existing dwelling house, redevelopment with residential care home – matters to be considered access, layout and scale	Objection/comment: 1) Tydehams possesses a unique character which should be preserved. Upcot was one of the first houses to be built, as part of a group of 12 constructed between 1923 and 1928. 2) Upcot also contributes towards the unique character of Andover Road as a key gateway to the town, as outlined in policy ADPP2 of the Core Strategy. In both respects, this application would contravene the Newbury Town Design Statement. 3) We agree with the objection by the Highways Officer, that the exit of additional vehicles onto Andover Road would be unsafe. 4) The area is zoned for residential use, not for a commercial development as this application proposes. 5) The scale and density of the buildings on the site would be an overdevelopment. 6) We question whether a residential care home on the site would be large enough to be economically viable.
Planning Inspectorate's decision – The appeal is allowed (A copy of the notice will be available at the meeting)			

APPLICATION NO.	LOCATION AND APPLICATION	PROPOSAL	NTC OBSERVATIONS
17/02461/PACOU	Leat House, Overbridge Square, Hambridge Lane, Newbury for Overbridge Development Ltd	Application to determine if prior approval is required for the change of use of office (class B1) to 24 residential dwellings	<p>Objection/comment. The Town Council remains fundamentally opposed to the conversion of office accommodation to residential in Overbridge Square, as on other trading estates.</p> <p>Meaningful planning is not possible if the zoning policy laid down in an approved Local Plan can be overridden by permitted developments rights.</p> <p>The balance in Newbury between business and residential activities which is central to the town's character will be fatally undermined if commercial premises can be converted on a large scale to residential as this application intends. There are also significant practical problems. The noise and traffic from businesses will interfere with the enjoyment by the flat residents of their Premises, and lead to pressure for curtailment of those business activities. Overbridge Square is not suitably located for schools, shops, and other residential amenities. PDR's should not be a means of circumventing what would otherwise be a planning refusal.</p>
<p>Planning Inspectorate's decision – The appeal is dismissed (A copy of the notice will be available at the meeting)</p>			

Newbury Town Council

Public Report

Report to:

Planning and Highways Committee 16 April 2018

Agenda Item No 12:

Background

The tenant of Suite 2 – Sandra and Russell Weir trading as Soulstice Wellbeing, have gone out of business, only 18 months into their 10 year lease. However, Sandra Weir found another potential tenant, Living Saucha Ltd, who wish to take on the remainder of the lease, running a very similar business (yoga classes, treatments and a café). They have agreed to the assignment of the existing lease, with minor changes (an additional break clause, permission for a third party to run the café under a license, and an increased personal guarantee for rent). The rent to be paid has not changed. An increased rent deposit of three months rent has been agreed with the new tenants.

Objective

To maintain the tenancy in Suite 1 and minimise the loss of rent to the Council.

Options

Instead of assigning the lease we could have forfeited the existing lease for non-payment of rent and re-advertised the Suite. It would possibly have taken longer to find a tenant, and there may have been a period of several months without any income, and additional costs for the lettings agent.

Financial and Legal implications

As above, there are minor changes to the existing lease, but this has minimised the loss of rent to the council. All of the rent arrears are covered by a personal guarantee and an agreement has been reached to pay this in instalments.

Consultation:

Legal advice has been taken on all aspects of the assignment.

Recommendation(s)

That the Committee approve the assignment of the lease and sign the rent deposit documentation

Signed: Gillian Durrant, Finance and Corporate Services Manager, 10 April 2018