



Clerk of the Council

John Boston

8 Chester Close

Newbury

RG14 7RR

e-mail:

clerk@greenham.gov.uk

www.greenham.gov.uk

☎ 01635 529900

15 July 2010

**MINUTES OF THE MEETING OF THE GREENHAM PARISH COUNCIL
HELD IN ST MARY'S CHURCH HALL, GREENHAM
ON 14 JULY 2010 AT 7.30 pm**

PRESENT: Mr A J Forward (Chairman)
Mr P Planterose (Vice-Chairman)
Mr C Austin
Mr P Barnett
Mr A Beal (to 10.00 pm)
Mr W Drummond
Mr D Hale
Mrs P Hay
Mrs T King.
Mrs D Smith
Mr J Swift-Hook

IN ATTENDANCE: Mr J Boston (Clerk)
Ms S Ward Item 3 only
Ms J McIntyre "
Mr S Milligan (age 16) "
2 members of the Public

Before the meeting started the Chairman called for a Minute's silence for Newbury Town Councillor Gina Houghton who had recently tragically died. The Chairman and Mr Swift-Hook spoke of Mrs Houghton's enormous contribution not only to Newbury but to the wider local area as a whole, particularly in respect of conservation matters. Details were given of the family-only cremation, the public Service of Remembrance and an exhibition of her artwork.

Also before turning to the agenda, the Chairman called PC Hayward from the public, so that matters of concern could be discussed before PC Hayward returned to duty. The recent arson attack on the Pigeons Farm Road bus shelter was discussed. Problems caused by inconsiderate parking were also discussed, particularly in roads near to the Racecourse Station. This was a potentially increasing problem that GPC had drawn attention to during the Racecourse Development application. Mr Barnett said that people must accept that so long as there was no obstruction, commuters could park in any road free of parking restrictions. The Chairman said that increasing restrictions just moved the problem further along. Mr Swift-Hook agreed that displacement was a problem; he said that WBC was

currently undertaking a review of parking strategy and that the Civilian Enforcement Officers could be called out to deal with illegally parked cars. (*Clerk's Note: Mr Swift-Hook subsequently advised that Councillors (and members of the public) can ring the Parking Office (519214 M-F, 521905 Sat) and ask for a CEO to attend a problem parking situation in a residential street, and (he was assured by the Car Parks Manager) a CEO will attend*). The Chairman also mentioned that he and the Clerk were working on arranging a visit by Police and other interested parties onto the Common in order to gain a better understanding of the topography of the area. PC Hayward recounted a recent situation when a distressed person had abandoned her car at a Common car park. As he had been provided with a key to the gates he was able to drive onto the Common and had found her just as night fell. However, if it had been dark he feared the outcome may not have been so positive. The Chairman thanked PC Hayward for attending and PC Hayward then left.

1. Apologies for Absence. Apologies for absence were received and accepted from Mr A Agutter and Mrs S Huxtable.

2. Declarations of Interest.

Mr Barnett stated that:

"Any views that I may express about planning matters and other business before this Council tonight are in my capacity as a member of *this* Council (Greenham Parish) and are based on the information before me tonight. If and when I consider any of the items at any future time in my capacity as a member of Newbury Town Council, I will consider each item on its merits at that time, taking full account of all the facts and information which are put before me at that time, as a result of which **I may well form a different view from any view I may express tonight**".

Mr Drummond stated that:

"Any views that I may express about planning matters and other business before this Council tonight are in my capacity as a member of *this* Council (Greenham Parish) and are based on the information before me tonight. If and when I consider any of the items at any future time in my capacity as a member of West Berkshire District Council, I will consider each item on its merits at that time, taking full account of all the facts and information which are put before me at that time, as a result of which **I may well form a different view from any view I may express tonight**".

Mr Swift-Hook stated that:

"Any views that I may express about planning matters and other business before this Council tonight are in my capacity as a member of *this* Council (Greenham Parish) and are based on the information before me tonight. If and when I consider any of the items at any future time in my capacity as a member of West Berkshire District Council or of Newbury Town Council, I will consider each item on its merits at that time, taking full account of all the facts and information which are put before me at that time, as a result of which **I may well form a different view from any view I may express tonight**".

Mr Hale declared that he considered that he had a Prejudicial Interest in respect of planning application 10/01375/FULD (Item 11) as the owner of the neighbouring property. Mr Planterose declared a personal interest in the application as he had submitted a personal letter of objection. Mr Austin declared a personal interest in the application as a neighbouring landowner and in Item 9 as a member of the GCT Distribution Committee. Mr Drummond declared a personal interest in Item 9 for the same reason. The Chairman pointed out that the Chief Executive had previously said that what ProLogis did with the site they leased would not have an effect on revenue streams as there were ongoing charges already agreed. Mr Swift-Hook confirmed this point.

3. Young People and Youth Empowerment Sarah Ward of CCB and Jenny McIntyre, the Greenham Youth Worker, spoke about Young People and Youth Empowerment. Jenny introduced Scott Milligan, a young person from Pigeons Farm who was deeply involved in the running of activities on the Diamond. Sarah introduced herself and gave a brief background saying that she had been closely involved with the Parish Plan, which she hopes will be taken forward soon by WBC. She was currently working to find out how young people interact with local councils and the Chairman agreed that there was no formal mechanism. Jenny emphasised the lack of resources for local young people and was in the process of applying for a grant which would be used to purchase a laptop/internet connection for the Diamond and to allow it to open more often. Introducing himself, Scott said that he goes to the portacabin on Monday evenings but few attend due to lack of equipment. He also runs a Youth Club on Wednesday evenings but attendance is again poor for the same reason. Additionally there is a football club but this is similarly short of equipment. Mr Austin asked how much the skate board ramp was used; Scott said that in fine weather it was heavily used. The grant previously mentioned is for £500 which would go some way to meeting these various requirements but it clearly would not be sufficient to cover all needs. If the bid is successful it would be paid via CCB to the Council for Young People which would act as a conduit. This might develop into a Youth Council. The aim is eventually to develop closer ties between Pigeons Farm and the Nightingales. Several Councillors made the point that there are many areas of young people within the Parish and they must not be forgotten in the effort to improve facilities at Pigeons Farm – these include Westwood Farm/Racecourse Estate, The Chase and Deadman's Lane. Jenny said that this was recognised and in fact several young people from DML were regular visitors to the Diamond. Mrs Smith mentioned the possibility of outside gym equipment which is specially made to be vandal and weather resistant. It could be used by all young adult and adult age groups and a set of 5 items would cost around £10,000 - £10,500. Mrs Smith hoped to tie this into the Street Athletics event and said that grant funding might also be available from RASP. Scott said that he also acted as groundsman and that cracks to the surface on the Diamond made it unsafe for some uses and in some weather conditions. Mr Planterose said that as Chairman of the Finance Working Group he would be happy to receive a Grant application from Scott and Jenny which could take the form of a costed list of equipment etc tied to local demand. This view was echoed by several members present. Mr Drummond said that he would like to encourage 18yr-olds to stand for membership of the PC so that their views and needs could be more directly addressed. Mr Swift-Hook said that he thought it was becoming clear that a working group was necessary to address all these needs and put a coherent programme of proposals forward to GPC. The Chairman said that he thought Scott would be an ideal

Chairman although Mr Swift-Hook pointed out that it was of course up to the WG itself to name its Chairman. Scott was asked to contact the Clerk to carry this decision forward. Jenny said that the Diamond desperately needed adult help and the Clerk will put this on the website. Mrs Smith asked if the Volunteer Bureau had been asked to publicise the need for a management team; it had not but this would be pursued. It was clear that GPC as a whole was entirely supportive and most enthusiastic about the prospects for improving facilities as the Diamond and asked that the various possibilities mentioned be taken forward positively. Sarah also suggested that a specific Councillor should act as Youth Champion. It was thought that possibly Mrs Huxtable might be a suitable person.

The Clerk also drew attention to WBC's Young People Free Swimming Programme for 2010. Full details are available on the WBC website

4. Minutes of the Previous Meeting. The Minutes of the meeting held on 9 June 2010, which had previously been circulated, were accepted as a true record and signed by the Chairman.

5. Matters Arising. There were no matters arising.

6. Abbotswood/Pinchington Lane. The Chairman said that the Ombudsman had previously declined to consider some complaints because they had been submitted too late. It had now been discovered that shortly after occupying his house a resident had written to WBC via his solicitor and had received a reply. It therefore seemed that the complaint was not out of time as it had initially been made to WBC within the prescribed timeframe. Mr Austin said that there was a track leading from DML to one of his fields and that in the evenings it was being used for anti-social behaviour. The Clerk will write to the Police. Mr Hale said that it had been reported to him that up to 15 large trees fronting the HWRC had died recently. As it was a planning condition that they become established Mr Drummond undertook to take this up with Planning Enforcement. Mr Austin suggested that it might also be worth taking this up with the site operator to see if its workers could do some watering during quiet periods.

7. Nationwide Data Centre. The Clerk has been informed by the site manager that the building has now been handed over to the Nationwide. This Item will now be removed from future agenda.

8. Newbury Racecourse – the way forward. Mrs Smith apologised for a recent lack of progress as she had been very busy with a variety of activities. She had recently attended a conference on Social Capital and had outlined the various competing needs of the development. The lecturer had commented that it was a suitable subject for a case study. Mr Swift-Hook had attended a meeting with Sarah Hordern at the Racecourse. The architects have been appointed and construction should start next summer. Further information will be shared with GPC as appropriate subject to the Racecourse' approval. The Chairman suggested we should open discussions with the architects now appointed to progress the Racecourse scheme.

9. Wincanton. The Chairman said that it was most regrettable that open-ended permission had been given in the past by WBC which set no limits on height, hours of

operation or anything else. Nevertheless Wincanton was trying to reduce the impact on neighbouring properties and was using a combination of containers and straw bales as baffles. This had had some effect but Mr Barnett had heard a loud bang at around 2.00am which he thought was an explosion and the Chairman said that in Burghclere people often thought there had been a bad traffic accident. Mr Hale said he had recently visited NGP and was surprised by loud banging which severely shook the ground. Mr Drummond said that it should not be forgotten that NGP was an industrial estate and generated large amounts of money for local charities.

10. S.106 Developer Contributions including Highways Improvements. The Clerk has been in contact with the S of S regarding the proposed bollarding of Stroud Green. The S of S has supplied a specific map on which to indicate the positions of the bollards and grasscrete; however, this map does not show Vine Court which is one area affected. The Clerk has also received an update from WBC on outstanding S.106-funded improvements. At the Racecourse Rd/Boundary Rd roundabout, the majority of the statutory undertakers' underground service details have been received and WBC will be in a position next week to place the order with its contractor to do the work on the roundabout in August at the same time as WBC is resurfacing Greenham Road/Pyle Hill. WBC is awaiting a suitable date for the Westwood traffic surveys. It was suggested 14 August (Ladies' Day) might be suitable to give a 'worst case' scenario. A site meeting has also been suggested to discuss further the provision of a dropped kerb access to the Common. WBC is available on Monday 19 (before 2:30 pm), Tuesday 20 and Friday 23 July (any time). It was decided that the site visit should be on 19 July at 10.30 and GPC would be represented by Mr Forward, Mr Drummond and Mrs Smith.

11. Planning.

Before discussing planning applications there was some discussion on the planning process generally. The Clerk said that he thought a large number of planning applications were determined by individual officers using delegated powers. Mr Swift-Hook confirmed this and said that he thought the figure was as much as 95%. The Clerk said that this being so, in his personal view WBC had a duty to ensure that delegated powers were being used reasonably and consistently, both between applications determined by different officers and between different applications determined by the same officer. He felt that all too often there was a glaring lack of consistency (even within the same site) and sometimes a possibility that National and Local guidelines were not being followed. He asked if any form of audit or monitoring was undertaken by elected members (such as a percentage check by the Area Planning Committees) to ensure that the delegated powers were being properly used. Mr Swift-Hook said that there wasn't but he thought this was a fair and valid point although it was inevitable that different individuals sometimes took different views to each other. At the moment all that happened was that officer's decisions were passed via their line managers and signed off by the Head of Planning and Countryside. However, he was a busy man with a wide remit and it would be unreasonable to expect him to undertake a detailed analysis of the many applications decided by officers. The Clerk will draft a letter to WBC and circulate for discussion before the next meeting.

Mr Planterose, as Chairman of the Planning Working Group, said that he would take the applications slightly out of order, as Mr Hale had declared a prejudicial interest in

10/01375/FULD, and would present that application last to prevent disruption to Item 11 and allow Mr Hale to leave without too much disruption.

(a) Applications

<u>No.</u>	<u>Proposal</u>	<u>Recommendation</u>
10/01140/FULD	Land at 34 Dalby Cres RG14 7LB New attached dwelling Mr S Fletcher	Object. See below

The description of semi-detached is misleading. 34 is already semi-detached so the new one (34A) will be an end of terrace and 34 will become mid-terrace.

Parking provision for both 34 and 34A is confusing. At the moment 34 seems to have a garage accessed crosswise at the end of the rear garden, together with off-street parking on a gravelled area at the front. The plans for 34A show parking crosswise at the end of the rear garden in the area which is currently access to the garage for No. 34. Additionally, the area in front of the proposed house will be lost to parking for 34. It is assumed that the 3 spaces referred to in D&A are shared between 34 & new 34A as only 1 extra space is shown in 34A. Application form also states increase from 2 to 3 spaces. There seems to be a lack of information on current and future parking for 34 and what the total provision will be for the 2 houses combined. The corner concerned also has a small road on the outside edge, this would compound parking and access concerns even more. Some trees (Cypress firs) will be removed by this scheme.

The plot is small and the proposal will be an over-development of the site. The open corner contributes very much to the open feel of the particular area, addition of another house here will spoil this.

10/01206/FUL	Newbury Racecourse Retention of portable building for 3 years Newbury Racecourse	No objection
10/01345/HOUSE	4 Rosyth Gardens RG14 7WD First floor extension Mr & Mrs N Hicks	No objection Request permitted development rights are removed.
10/01414/FULEXT	Stirling Cables Redevelop to flats	Object See below

GPC is appalled that it has not been consulted as an Adjacent Parish, despite the impact on the Parish via Boundary Rd and the fact that GPC was a pre-application consultee.

GPC objects on the following grounds:

The application is contrary to saved policy ECON1 of the Local Plan in that would remove a valuable employment site. Due to its proximity to a very large number of houses to the east and west of the A339 soon to be increased by a further 1,500 at the race course and 2000 proposed for Sandleford this would be a disastrous move. Policy has described the current site in ECON1 as

very carbon neutral due to the nearby housing avoiding extensive travel to work. Policy has also described NGP as generally carbon unfriendly due to the travel distance and that public transport is not available 24/7.

Again the closeness of two railways stations makes it very sustainable as Rail travel is at the top of the table of sustainable public travel and way above the private car. PPS3 point 41 makes it clear this issue of sustainability is very important.

PPS3 point 70 makes it clear that when a site that is allocated in the land supply but not in the five year supply WBC will need to consider whether granting permission would undermine that policy objective. WBC actually has a five and a half year supply and this site is not even an allocated one so is totally against policy to consider this application.

The railway line makes a good neighbour for employment use in that noise is inevitable from both creating a neutral environment in some respects. However to replace the current use with housing brings the application under the guidance of PPG24 in protecting new housing from existing noise sources such as a railway. PPG24 in the NEC table makes it clear the levels of noise acceptable from such sources and the acceptability of considering approving such schemes with or without mitigation. Conformance with the WHO requirements for sleeping and general amenity is also required. These proposed dwellings are adjacent to the main railway line and the constant 24-hr rail traffic including heavy stone trains from the West Country and high speed expresses will make it impossible for people to open their windows, or to enjoy the use of balconies should they have them. By building such a tall tower it will expose an unreasonably large number of properties to such noise sources and even reflect noise onto others across the line. The loss of residential amenity over a wide area will be experienced due to overlooking etc.

Newbury is blighted with such tall buildings as exist on this site and the old telephone exchange. These were built at times when the environment was less important than now. To carry forward these mistakes in these enlighten times would be shameful. As WBC landscape consultant has said before one mistake does not justify making another. This and other similar schemes in WB is in danger of transforming the market town of Newbury in to something more akin to the street scène in down town New York. This will be visible to through traffic and over a wide area destroying the touch and feel of Newbury.

10/01418/FUL	81 NGP Change of Use from B1 to B8 Special Auction Services	No objection
10/01466/FUL	Drake House, Bishops Green Construct replacement dwelling with integral garage. 4-Tune Investments Ltd	Object See below

The supplied documentation says the application conforms to ENV23, it does not in many ways. A picture was taken in 1971 and shows a nearby property which had only just been constructed and nothing whatsoever on the application site. ENV23 makes it clear the date 1948 is pivotal in considering the suitability of applications. Nothing existed on the application site at that time in 1971. The original building on the application site was constructed after 1971 by the then owner Mr. Pearson as a stable and was probably permitted later as a dwelling through a change of legal use. West Berks records should show when this was granted. Some additions have been made to this building through the years. ENV23 in section 3.3.1 makes it clear that only additional buildings that existed prior to 1948 should be considered and only then if they were within 5m of the dwelling. Therefore the area of the original building has to be considered to be no more than 225 m² and maybe

less if the plans for the change of legal use show what was there at the time. The land and building were conveyed to Mr. Drake during the 80s. Much has been constructed since with little permission, mainly retrospective permission and using permitted rights.

Replacement building size and ENV23

Using the applicant's own plans it is clear that the total or gross area of the proposed dwelling, garage and summerhouse is 524.12 m². This represents an increase of 133% on the original building not the 50% maximum advised. ENV 23 at section 3.3.1 also advises that:

In assessing size, all measurements are to be external, and will include any areas covered by a permanent roof, i.e. porches or verandas (as these can be infilled without planning permission, unless this has already been excluded by condition).

Therefore overhanging roofs have to be considered as part of the original and proposed area as permitted rights could allow them to be infilled. In this case the total for the proposed dwelling, garage and summerhouse is 596.5 m² which is a 153% increase on the original building. This proposal is therefore grossly outside of the guidelines contained within ENV23. It is unclear how to include areas of the upper floor under the roof which are not shown as part of the rooms but could be.

Enforcement

Since 1998 enforcement were aware of use of the annex described as the billiard room, which the applicant now describes as a stable, was being used a residential accommodation. Some years later the legal department when refusing a change of legal use warned enforcement to monitor the site otherwise a new change of legal use may succeed. Later a change of legal use was finally applied for. Permission for ancillary use only was approved as no enforcement action had been taken. Any discretion WBC may have to consider an enlarged property must be carefully weighed up against the fact that the buildings on site have only been caused to exist due to enforcement failure.

Main House Permission

There is no application which has given permission, even retrospective, to the main house. Only the annex has a change of legal use. On this basis one may argue that today the only residential part of the site with permission is the annex. The increase in size should therefore be based on the annex as the only residential building as all others were built after 1948.

Other Buildings

All but the garage/factory and residential use of the annex would be allowed today through permitted rights. They also cannot be considered as extensions to the original dwelling and they can be retained or rebuilt regardless of any permission that may be granted unless conditioned which will be very difficult to enforce. Regardless of any attempt to interpret this in favour of the applicant, ENV23 shuts the door firmly as it states in 3.3.1:

The floor space of the "original" dwelling will be taken to be the dwelling as it was originally built, and excludes any subsequent extensions or any outbuildings. Where the building was built before 1 July 1948, the floor space of the original dwelling will be taken as comprising the dwelling and any outbuildings or structures which existed on 1 July 1948 and which were situated within 5 m of the dwelling.

The applicant says the gross area of the buildings to be removed from the site as part of the proposed

application is 482.3 m². ENV23 on considering outbuildings makes it clear:

Additional volume will not normally be allowed for the removal of existing buildings which are not part of the “original” dwelling.

Departure from ENV23

It is sad that in so few years the site has changed from an open field to the home of the “original” building, an annex and garage/hobby room. Luckily the scale of these current buildings is such that they largely fit into the current landscape and planting as it exists. It will set a very dangerous precedent if a departure from the general principle of ENV23 is allowed. Had there been a few fairly large and visually intrusive outbuildings then the landscape might be considered better if these were replaced by a better form. This is clearly not the case here.

To permit this application will create a precedent by allowing the building of buildings permitted but not requiring permission as such and then using their replacement to permit the construction of a larger than desired extension to the “original” dwelling. The outbuildings were used in part to support the adjacent fishing lakes where there is no condition possible preventing such a similar range of sheds being built there so getting us back to where we started.

The planners have within their powers the ability to stop the erosion of the area by moderating the extension to the dwelling to the 50% recommended over and above the “original” dwelling of 225 m² as defined by ENV23.

SPG04

This document makes it clear that in response to questions about replacement following the 1948 guidelines and the issues of percentage increase still apply and reconfirms the status of ENV23 that 50% generally fails to get approval and more than 100% over the original dwelling is not allowed even by an inspector so 153% is clearly going far too far.

Scale and Height

The application goes on to say the new building is of an appropriate scale and in keeping with the properties in the area. One only has to examine properties in the area to see that this application proposes by far the largest property in the area. ENV23 also makes it clear that excessively large properties should be avoided as they prevent an appropriate mix of properties including appropriately sized dwellings. ENV23 also warns that even if the site is well screened the rules still apply. It also says that the height of the new building should not significantly exceed that of the original which the application building clearly does.

Loss of rural employment & ENV18

To maintain a balanced rural community employment which this application would cause is resisted. Large houses in particular are resisted in that a mix is required which this application does not achieve in the context of the community.

Impact of the adjacent fishing lakes being split

It is perhaps important when considering this application that the complete site that existed prior to the application site being sold off and the permissions on it should be considered to get the context right. Highways has already pointed out that the application extinguishes parking facilities permitted

as part of the application to retrospectively approve the fishing lakes and requires plans to be supplied showing where they are to be relocated. It is possible that other facilities necessary to support the fishing lakes have also been removed such as public conveniences and other buildings that might supply first aid and stores. As previously stated permitted rights could allow more out buildings on the land retained by the previous owner.

Landscape

At section 3.1 of policy ENV23 in item F there is a requirement for an acceptable landscape scheme to be provided which is to retain and improve the rural nature of the locality. This should require a landscape scheme to be provided with the application which then needs to be put before West Berkshire's landscape consultants such as Kirkham before considering the application. This has not been done as the plans amount to only two A4 pages and limited narrative. Controlling the landscape is especially important as only the western boundary is in the control of the applicant with all other landscape planting which the application depends upon being in other ownership and therefore out of their control. Views from the south are through trees owned by at least two land owners before reaching the application site. Some of the trees are beside the river where the Environment Agency periodically seeks to control the impact on the river by removing them altogether. Views can be had from Sydmonton Common which is a Site of Nature Conservation (SNCI).

Floor levels & Flood Plain

The applicant has indicated that the AOD of the finished floor will be similar to the existing property but has not been precise with this information. The rest of the application area which is doubtless some sort of garden is on an area subject to planning consent 09/00227/FUL and is clearly on the flood plain despite what the applicant says. This permission was granted retrospectively following infill of part of the floodplain where the environment agency requires some remedial work to take place recover the flood plain.

It is therefore very important that the application is precise about AOD levels and contours for the dwelling and proper consideration for the nature of the area round the floodplain and the floodplain itself. To not do so could result in a permission which compromises the flood plain and the intentions of 09/00227/FUL as this permission would overrule the previous one.

Drainage issues

There is no foul water sewer adjacent to the site as confirmed by Thames Water [copied to Planapps]. The applicant ticks the box for foul water/sewerage as unknown. The supplied documentation says the was consultation with the Environment Agency over foul water in November of last year. Contrary to what is now said that consultation ended up in a response to EA which said the intention was to pump into the foul water system across the county boundary nearby. Having said method not known and sending the response above to the EA the applicant has shown on his plans a private system with soak-a-ways in herring bone fashion within the flood zone. Provision will have to be made on site other water collection. No details have been provided. The sustainability report is difficult to read and see how water recycling, storage etc. has been considered. There will also be no provision for drainage or facilities for the adjacent fishing lakes as a new water supply would be needed to comply with Thames Water conditions. No public conveniences etc. will exist for the fishing lakes either as those currently used will be removed by this application.

Planning application form issues

There are serious concerns about the validity and accuracy of comments made in the planning application form itself. In April of this year a document outlining the history of the whole site was

supplied to the planning team but regrettably the applicant has decided not to consider this or include it as part of the application.

These are the items in the planning application that GPC has issues with:

- Section 3 should make it clear the proposal stops the industrial use with local employment and this has already happened.
- Section 7 sees the plans do not include areas to store the waste for collection. This application will remove any area currently used for waste storage as part of the fishing lakes which like the parking will need to be provided elsewhere.
- Section 10 has already been discussed as it wrong and extinguishes parking for the fishing lakes.
- Section 11 is of great concern as it says the disposal of foul sewerage is unknown yet application drawings show private system.
- Section 12 says the area is not within a flood zone – this is not true! A flood risk assessment is attached though but plays down the flood plain location.
- Section 13 is wrong as this application site is in close proximity to the Sydmonton Common and Lower Burnoak Copse Site of Nature Conservation Importance (SNCI) which itself is within the AONB in neighbouring Hampshire. Natural England when considering application 09/00227/FUL confirmed this. Local knowledge also recognises the existence of many bats, slow worms and newts in the area close to the application site. Ticks in the appropriate boxes should be reconsidered as a result.
- Section 14 is wrong to say the site was only residential in the past. It was the location of a shed making factory with several reports to Public Protection and the EA about burning of felt and treated timber. It is doubtful that the property is vacant at the moment. Pictures in the Design and Access Statement show washing on the line which either shows evidence is out of date or property is still occupied. The site was also used for the support of fishing lakes.
- Section 15 is wrong to say no about trees and hedges on land adjacent as the landscape documentation supplied by the applicant makes it clear the site is unlikely to be seen due to vegetation yet this is almost wholly on neighbouring land except for the Western boundary of the application site. Again West Berks' landscape consultants should be consulted.
- Section 17 & 18 is wrong as the applicant describes two residential units on site although the main house does not seem to have permission.
- Section 19 is wrong as this proposal extinguishes a small factory and buildings used to support a fishing business.
- Section 20 has avoided discussing the previous granted permission to use a large outbuilding as a factory. In previous pre-application consultation Mr Butler expressed concern that this useful business building would be removed as a result of the proposal to the detriment of employment in the area.
- Section 24 is correctly ticked but special care is needed in that the site can only be truly be seen from the very close Site of Nature Conservation Importance (SNCI) which itself is within the AONB.
- Section 25 needs to be reconsidered for the sake of accuracy as the application site on the whole of the original site which has planning permission on it for fishing which is probably not agricultural use but nevertheless is perhaps an important material consideration for this application. Some element of agricultural use may remain.

Note: Further analysis of the application is revealing more and more errors and inconsistencies. It was agreed that the planning Working Group would continue to investigate this application and would circulate its findings to members. If necessary a supplementary objection would be submitted to WBC.

10/01471/XLBC Alterations, Demolition and Extensions
Mary Hare Schools

WBC has been asked for further information regarding S.73 application and possible changes to previous applications. It has also asked for copies of relevant plans as none are supplied and none available on the website. Until and unless this is received the recommendation can only be Object

10/01481/HOUSE Happy Valley, Heads Hill, RG19 8EW No objection
Adjacent Parish First floor extension
Mr R Cruickshank

10/01375/FULD Sandleford Farm Yard Object See below
Redevelop site to provide 9
Residential units, garages and garden sheds
Gilson Engineering.

Having previously declared a prejudicial interest Mr Hale was invited by the Chairman to address GPC as a member of the Public before withdrawing. He said that he lived in Sandleford Farmhouse which was a Grade II listed building. It and the Farmyard had originally been in common ownership. He stated that a Conservation Officer had visited his home in order to view the Farmyard and had made some scathing comments about the plans. It was noted that they were drawn out of scale and the farmhouse was made to look much larger in proportion to the farmyard than it was. The Conservation Officer's Report ran to 2 pages. Mr Hale said that he would welcome a suitable development in sympathy with the area which had many historical connections. The plans as presented had many errors, the most glaring of which was that some land owned by him was included in the plans. It was generally agreed that planning applications could be submitted covering land not owned by the applicant but opinions differed as to when and how the landowner should be contacted. Mr Hale gave an illustrated explanation of how the proposed development would draw affect is property and drew attention to PPS5 which protects listed buildings and their environment. Mr Hale then withdrew before discussion commenced.

Mr Austin said that he was a neighbouring landowner. In the course of the previous application submitted for the site, he had similarly found that his and his family's land had been included in the plans. He had found that there had been an error in defining a fence line in a previous conveyance and for simplicity the land in question had been conveyed to the applicant. He thought that the effects on the listed Sandleford Park had been overstated and said that there was continuous building to the north of the Priory so the development would not be seen from there. He also thought that the attribution of the Park to Capability Brown was tenuous. The School bursar said that there was no record of Brown visiting the Park and it was more likely that it had been designed by a student and only signed off by him.

Mr Austin said that it had become clear that his interest was Prejudicial in that approval might increase the value of his adjacent farmland and he therefore withdrew.

Mrs Smith asked if a right turn across the A339 would be possible. The plans show the entry/exit road to be so shaped that this would be difficult but not impossible. As an aside it was noted that vehicles exiting the HWRC occasionally effected a u-turn across the A339 despite the presence of a central island. Mrs Smith said she would support a 1 or 1½ story development that reflects the ethos of the farmyard. Mr Beal said that the plans appeared un-neighbourly and designed to create a wind tunnel. He also felt that by breaking planning rules the application ran the risk of bringing the whole planning process into disrepute if it was granted. If an officer had any doubts he should pass the application to the planning committee.

The agreed Objection reads:

GPC would welcome an application which provides a sympathetic development that reflects the existing farmyard, possibly with the existing stables retained as garages. It must however object to

the current application as detailed below:

The application site is outside the settlement boundary, therefore rural policies apply.

This application is woefully littered with incorrect or inaccurate information so much so that it questions its validity. If details are supplied, even if all are not directly pertinent to any consultee, these details must be correct otherwise why include them other than to confuse and mislead? If some facts are incorrect then what of the rest? Why should WBC sort this out as it should be incumbent on the applicant to supply correct information?

To get straight to the point for the consultees, examples of inaccuracies may be found in the Environmental Noise Assessment, Bat Report, Transport Statement, Historic Assessment and Contaminated Land Risk Assessment which all include plans that incorrectly show the application boundary and/or have details which have now changed which could alter the decision.

GPC feels it is completely wrong to expect consultees to pick these issues up given the volume of information, current levels of work and a reasonable presumption of its correctness. GPC asks that the consultees read the sections below as appropriate or perhaps read them all in case other facts emerge of interest to them.

Application Boundary - the Red Line (Mainly of interest to the Case Officer).

The GPC Chairman has in his files communication where the applicant was warned in the past not to use the Greenfield land round the site. An email on file discusses this point: "Subject: RE: Gilson Engineering- Application No 07/00507/FULMAJ Date: 29-Mar-2007 14:58:39 +0100. Plus the land take point which I have already highlighted to the agents.....". The landscape consultant requested last time that this land was included for the discussion of landscape issues. These issues arise from the re-grading indicated on supplied plans in the Greenfield land (the retained land). Such re-grading is also needed elsewhere to support plot AODs but no detail is shown on the supplied plans.

Sadly, despite the request which ensured previous applications did not include this land, this has been ignored and now has been included. As was said once before the applicant may need to scale down the application to fit it into the Brownfield space. This must include the re-grading etc. Since then noise from the road has resulted in Public Protection requiring houses to be built further back which has meant the same number of plots is crammed into a smaller area hence larger buildings with few gaps. The drawings already show a loss of significant planting required by West Berkshire before, in previous applications, to support the current use. Furthermore current boundary planting will be compromised including TPOed trees. The cut down to form the re-grading will considerably reduce the scope for further landscaping especially of useful height.

Approving this application would obviously opening the door for a wider area to be subject to a further future application having turned it into Brownfield land.

Of interest to all consultees – the Acoustic Measures (Fences & Walls).

Almost no detail exists of these fences and walls. There is only one place in the whole application where there is any reference to this full scheme and this is in the Environmental Environment Report, which is hardly bed time reading for most consultees and at face value not relevant to them.

A page in the report does show the scheme in outline but makes it clear how much more constructed form from the scheme there will be compared to today. Trees - The reality is that root protection areas (RPA) of trees is definitely compromised by these measures. Noise - In the absence of AOD information the true relative height of these measures, on a site where existing levels vary by over 3m, the benefit of them is impossible to gauge unless the relationship in AOD terms of receptors and source with these measures is documented. Highways – Both the measures and the planting may have an effect on visibility and turning on site of large vehicles in particular. What effect will extended roadside construction have on traffic? Conservation & Landscape – It is impossible to imagine how these very tall fences and walls will in anyway enhance the historic and visual feel of the area. Drainage – Obviously such construction will change the way drainage works today perhaps pushing water down which may impact the water table and irrigation of planting both new and existing.

Of interest to all consultees – the supplied drawings.

There is far too much in the way of issues to discuss all them here. More detail may follow but the following are examples: Drawings if overlaid with the survey show many of these issues. AOD figures on Drawings are not mirrored on the survey and vary by more than 0.5m in places. The location of existing structures and proposed structures are at odds. The detail of existing planting and its extent such as cover or spread is only made clear in the survey and not on final drawings. Location, scale and mass of existing buildings is confirmed by the survey yet remain uncorrected in final drawings despite the applicant having been previously informed of this and the detail he has failed to use from his own survey.

Noise.

To highlight issues the plan supplied with the noise assessment apart from showing the wrong application boundary also shows buildings not on the current plans supplied by the applicant. The MAPS 2, 3 & 4 which profile noise, clearly show these buildings provide attenuation of noise but where is a revised report without these buildings. If the relatively small buildings from this scheme, now deleted, had such a marked effect on noise then it is hard to see how the applicants report has shown noise at the neighbouring farmhouse to be the same when a double storey and pitched roof building is to be removed and replaced with a mere 2m wall.

Trees.

The Arboriculture Report does not include a map at all which is surprising since the existence of trees, even if not protected, is an important material planning consideration as the report says. Drawing 2009-124-510 shows an Elm tree beside the road within the application boundary. The report does not discuss it. It may be it was outside of the application boundary then but so was the Cedar. The report was written as far back as 2006 when the site boundary was different so has to be considered invalid now. Perhaps the Elm has germinated since 2006 and grown to considerable height where it is now in advanced decline but still part of the landscape. The site now includes a significant Holly hedge required to provide screening to the park as a condition of a previous application. The old report does not discuss it and worse it is removed from the application plans but is there on the survey. The cutting down of levels ensures its destruction and the catastrophic demise of other planting. Section 9.3 says no issue if the proposal is within the current hard use of the site and existing walls are retained but the revised plans clearly show areas outside of the hard use which are agricultural and in the listed park land which are to re-graded and built on with other walls being removed. The previous application did provide a further report dated 2009 which is not supplied here although both need updating due to the site boundary change.

Land Risk Assessment.

Uses an out of date plan and says no pollution reported yet the Environment Agency have such reports, with site visits and corrective action being required, which may have occurred since the report dated 2008. This report is clearly out of date.

Bat and Endangered Species.

In the planning statement the applicant does refer to such a report but it only covers the issue of bats. This report also uses an out of date plan. The applicant is actually correct to name the report as such since Greenfield agricultural land within the listed park is now part of the application site. No longer have concrete areas to be considered but grassland and hedge rows as well so the application form is wrong to say no to section 14 at question (a). Both questions other questions could be yes which should require a survey including this extra land and land around the site before submitting such an answer. The applicant did not report before on land around the site both now and before. No survey has been carried out on the neighbouring land at all so there is no certainty

of protected and priority species being ruled out. For the same reason (b) should not be answered no as the Bat report indicates Bats over the neighbouring land for example.

Archaeological and Historical.

The Historic Environment Assessment is fairly recent from 2009. This report needs updating to discuss that PPS5 is now policy replacing previous policies and a proper historic assessment is required to reflect that policy. The report and the Design and Access Statement is also wrong to say listed sites are adjacent or in the proximity as the retained land and much of the application area to be built on is within the listed park. The plan supplied incorrectly defines the application area, the red line. The Design and Access Statement also fails to discuss the several listed buildings and garden in the area. The report says the neighbour confirms there is no icehouse but this is totally incorrect as borne out by the comments from Duncan Coe for this application. The report wrongly tries to suggest that uses and buildings have moved around so that there is no long term history to consider. Area 2 is described to have ceased as farmyard by the mid 19th century but was still working after 1983 when this was part of the curtilage considered when the Farmhouse was listed. The farmhouse is said to have moved to its current position between 1835 and 1873 yet the report supplied by the applicant from English Heritage says "The farmhouse which is of C18 date is listed as is an adjoining dairy." The EH report goes on to discuss the estate map of 1781 which shows only a rickyard was to the north of the Farmhouse. The regression plan with the application also shows the priory and farmhouse coloured to say they are pre 1832 which concurs with EH but conflicts with the report elsewhere.

Transport Statement.

This again uses the wrong plan although the benefit of the red line to highways is only significant in that highways land is now accepted to be part of the application area. Other details such as details of distances and services have errors in them. From plot 1 to the garage the site rises by 0.81m on Drawing 2009-124-510 on the short distance across the entrance to the site while maintaining level access at the garage and car access to plot 1. The land for plot 4 is higher than plot 3 by 1.21m yet no detail is supplied gradients and therefore access issues cannot be fully assessed.

Levels.

Little information is supplied if any to make it clear how such a sloping site can accommodate dwellings at such different heights and within the retained lane without significant cutting down of ground levels, re-grading the park land and having a catastrophic effect on planting within and

without the site much of which is in the listed park. This also applies to highways which will need to assess gradients.

Consultation.

Despite the claim there has been none and concerns raised previously have not been addressed accept one which suited the developer according to the resident at the Farmhouse. There has been no other public consultation for this application including GPC. Consultation with Duncan Coe is admitted yet his findings have not been actioned as reported above.

Landscape.

The applicant just describes the park as degraded but PPS5 now seeks to improve things and English Heritage have the listed park as a site of concern for its condition requiring remedial action.

In the Design and Access Statement the applicant describes the scheme landscape as per the scheme provided. Where is this scheme? Such a sensitive site which is subject to policy deserves such a document.

West Berkshire's landscape assessments require this decay to be reversed:

- Newbury District Wide Landscape Character Assessment 1993 Notes covering development state that further erosion of former parkland by development should be prevented and any development on adjacent land to the Grade II registered Sandleford Priory should include substantial tree planting to enhance context of parkland and prevent further visual degradation.
- Berkshire Landscape Character Assessment 2003 The assessment states that the landscape condition is generally very good, however a key issue relevant to the site states that potential pressure for new developments around or away from the existing settlements, particularly those located along the linear roads may lead to a loss of distinctiveness between settlements.

The landscape consultant did not finally comment on the previous application as further information was required but gave both an indication of feeling before the application was invalidated. Having read the Design and Access Statement the Landscape consultants previous comments for an even earlier application clearly apply: "The Design and Access Statement does not provide any evidence of their understanding of the architectural and landscape design context, except to say they will match the local vernacular."

She went on to say: "I do not agree with the historical consultants that the development replaces one urban type with another. The barns, albeit a non agricultural use, are not in either an urban setting or uncharacteristic of rural areas. The proposed form of the development in its massing and style is far more urban in character than the existing group. The historic assessment does not assess the importance of the features and character of the park, how they relate to each other and Sandleford Priory. It describes the setting as partly urban but fails to acknowledge the overriding rural setting to the south, east and west. The loss of parkland character is noted, but little weight is attached to what survives and how it could be enhanced through the development proposals".

Current Policy.

The applicant tries to justify the replacement of industrial by housing by building an industrial unit elsewhere but in the absence of a Grampian agreement requiring this, such a fact is immaterial.

Often in recent applications such as at Hambridge and New Greenham Park the employment officer has welcomed new industrial jobs especially blue collar. So extinguishing such jobs does not accord with his objectives.

While not being explicitly part of ECON1, policy states that there is a preference that employment generating locations should be preserved. The site allocation current for WB clearly states there is a 5 ½ year supply of sites and with policies such as PPS3 would clearly suggest WB would have every right to question and refuse this application as below especially as the application site is not in the allocated list:

LDF & PPS3

41. The national annual target is that at least 60 per cent of new housing should be provided on previously developed land. This includes land and buildings that are vacant or derelict as well as land that is currently in use but which has potential for re-development. When identifying previously-developed land for housing development, Local Planning Authorities and Regional Planning Bodies will, in particular, need to consider sustainability issues as some sites will not necessarily be suitable for housing. There is no presumption that land that is previously-developed is necessarily suitable for housing development nor that the whole of the curtilage should be developed.

70. Where Local Planning Authorities have an up-to-date five year supply of deliverable sites and applications come forward for sites that are allocated in the overall land supply, but which are not yet in the up-to-date five year supply, Local Planning Authorities will need to consider whether granting permission would undermine achievement of their policy objectives.

If we have housing sites but loose employment by this application then there must be concern. What is the purpose of the local plan and PPS3 if it is not going to be adhered to? The employment officer has again said employment space is needed especially blue collar so to extinguish this area would be unwise.

Universal Concern.

The planning officer has now changed from the previous one who at the worst time in terms of work load will need to get up to speed with the application. Consultees are in general the same as before but much time has elapsed since the last application so they will be required to revisit the new scheme which is on the face of it very similar to the old one.

The biggest concern is that despite most of these issues being pointed out before by external consultees and internal consultees none of the issues raised have been included with this application. This list includes AODs of the finished scheme for Highways and Landscape especially, Archaeological evidence being supplied by residents to which the archaeologist formally responded to the planner and applicant it would seem during the last application. A further aboricultural report was supplied due to concerns raised by consultees during the previous application which has not been supplied this time. Input prompted by concerns and issues regarding re-grading on drainage, planting, landscape and structural integrity of the adjacent buildings has not been forthcoming.

Conclusion.

The validity of this application is seriously questionable and the lack of information known to be

required before that has not been supplied is of great concern and puts out a poor message which could be repeated elsewhere.

Parish Charter.

Luckily the adoption of this by WBC enables engagement such as this to supplement the planning process and consultee effort with the benefit of local knowledge and information. Many officers readily embrace this concept and listen seriously to concerns, which has resulted in much that has occurred previously with this application being addressed while sadly not by the applicant for this application.

At this point Mr Hale and Mr Austin rejoined the meeting.

(b) Decisions

10/00589/FULD	Land north of Martindale Farm –equestrian facility	Withdrawn
---------------	--	-----------

10/00702/OUTD	5 Deadman’s Lane. Divide pl0t and construct 2 storey house	Granted
---------------	---	---------

GPC Rec: Object. Noise levels in excess of PPG 24; dominates Nos. 4 and 5. EH state that any development must ensure to protect occupiers from external sources of noise and also protect neighbours’ amenities by limiting hours of work.

10/00938/HOUSE	Willowmead, Pyle Hill. Workshop & garden machinery store.	Granted
----------------	--	---------

GPC Rec: Object. Concerns re use of store. Conditioned that no business or commercial use of any kind shall be carried out from the store.

10/00945/NONMAT	New Stryker, Hambridge Rd. Minor variations .	Approved
-----------------	---	----------

GPC Rec: N/A

10/01171	Woodlands Cottage, Basingstoke road	Granted
----------	-------------------------------------	---------

GPC Rec: Object. Contrary to ENV 23 and precedent. House too large for setting and out of character with area. WBC states that while house and garage are large they are considered acceptable in this rural location given existing buildings, planning history and secluded location. Application accords with Government advice and does not harm established wooded areas and protected trees.

10/01050/HOUSE	6 Deadman’s Lane. Conservatory	Granted
----------------	--------------------------------	---------

GPC Rec: No Objection

10/01066/CERTP	2 Hook Close	Lawful
----------------	--------------	--------

GPC Rec: N/A

12. Finance & Accounts for Payment.

The following cheques were presented for payment:

Mr J Boston – Clerk's salary & expenses	£1928.16
HM Revenue & Customs – Tax & NI	£338.65
Mrs T King - CCB Conference at Reading 51@40p	£20.40

The Clerk explained that he had now recovered his tax credit resulting from overpayment of tax in previous years and he expected his monthly payments to return to normal levels from next month. It was proposed by Mr Forward, seconded by Mr Drummond and carried unanimously that the cheques be approved for payment

13. Street Athletics. The Street Athletics Event will be held in Pigeons Farm Road on 12th August. The organisers have previously been strongly advised by members of GPC, including the Chairman, The Clerk and Mrs Huxtable that any grant applications should be comprehensive and made in good time. An application has now been received for a grant of £220 and is presented to the Council as the event will take place before the next FWG meeting. Councillors were very critical of the event organisers, who appeared to have committed to the event without ensuring the necessary funding and who had disregarded previous strong advice from GPC regarding the making of any application. In the view of Councillors, the late receipt of the application was unfair to other applicants who had submitted applications earlier but had to wait until the next quarterly review and unfair to GPC because it was unable to fairly evaluate the competing demands against each other and the limited resources available. It was proposed by Mrs King, seconded by Mr Swift-Hook and carried unanimously that a grant of £150 be made.

At this point, as it was approaching 10.00pm, the Chairman declared that the majority of remaining items would be deferred to the next meeting. He commented that if the volume of business continues to be at the rate recently experienced it might be necessary to hold additional meetings, possibly separating out the planning applications.

14. Parish Plan. Deferred

15. Web Site & Contract. Deferred

16. Allotments. Deferred

17. BBOWT. The date of the consultation before the issue of the Forestry Commission licence to fell the trees at the eastern end of Crookham Common is 26 July. There was general agreement that 'consultation' was a misnomer as BBOWT had already decided what it was going to do; the meeting therefore served no useful purpose.

18. Greenham Common SSSI. Nothing further to report and this item will now be deleted from future agenda.

19. Parish Boundaries. Deferred

20. West Berks District Council. Deferred.

21. Forthcoming Events. The District Parish Conference will be held at Market Street on Monday 19th July at 6pm. Mr Barnett and Mrs Smith will attend. Thursday 12th August – This is part of the Summer Activities Partnership which organises activities for young people during the summer holidays. A variety of activities will be taking place on the Diamond e.g. a martial arts display, circus circus, Duke of Edinburgh Awards, Greenham Youth, Reading Football Activities, Fitness Centre display, Inflatables , food and refreshments etc. The main aim of the Day is to encourage young people to take part in activities especially those who do not normally take part. Money is available for children from deprived backgrounds so that they can be involved. Volunteers are needed to help. Vodafone has been asked to organise a group but this has yet to be agreed. Anyone interested please can they let Julie Povey know at JPovey@westberks.gov.uk. There will be a meeting for all volunteers on the 9th August between 6 and 8 p.m. at the St Mary's Church Centre. The next Thames Valley Police Open Day will be held at Sulhampstead on Saturday 4 September between 10am and 4pm. Those who had previously attended thought it an excellent event.

22. Exchange of Information. WNBC has informed the Clerk that it will be publishing a booklet entitled 'Are you Ready – Preparing for Emergencies' which will be delivered to all households during June and July. The Clerk has a copy should anyone wish to see it.

Mr Swift-Hook referred to the need to register under the Data Protection Act. Neither GPC nor individual Councillors had done so and he thought few Parish or Town Councils had done so either. The Clerk said that he had asked BALC for advice and was waiting for a response. Mr Swift-Hook said he had received advice that day from another source and would forward it to the Clerk.

Mr Drummond referred to the continuing nuisance of low-flying helicopters over the Common. RAF Odiham appeared unconcerned despite its previous agreement to curb such activity.

Mr Barnett was concerned about the increasing tendency to 'land-grabbing' where people fence off land outside their boundary and then lay claim to it. The Chairman thought that since 1 April 2007 they were required to actively seek possessory action.

Chairman's note - The position of a registered landowner was significantly improved by the Land Registration Act of 2002. Where land is registered, the adverse possessor may apply to be registered as owner after 10 years [13] of adverse possession and the Land Registry must give notice to the true owner of this application [14]. This gives the landowner a statutory period of time [65 business days] to object to the adverse possession, and if they do so the application fails. Otherwise, the squatter becomes the registered proprietor according to the land registry. If the true owner is unable to evict the squatter in the two years following the first application, the squatter can apply again after this period and be successful despite the opposition of the owner. The process effectively prevents the removal of a landowner's right to property without his knowledge, while ensuring squatters have a fair way of exercising their rights.

Mrs King referred to the road closures during the Simply Red concert. This will be discussed next month under the current Item 20.

23. Date of Next Meeting. The Meeting closed at 10.20 pm. The date of the next meeting is on 11 August 2010 at St Mary's Church Hall at 7.30pm.

A J Forward
Chairman
11 August 2010

Abbreviations:

CCB - Community Council for Berkshire
GCT - Greenham Common Trust
GPC - Greenham Parish Council
NGP - New Greenham Park
WBC - West Berks Council