

HUNGERFORD TOWN COUNCIL

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MINUTES of the **Environment and Planning Committee** held on Monday 26th April 2017 at 7.00 pm in the Corn Exchange complex, Hungerford.

Present: Cllrs Farrell, Crane, Winser, Hudson, Simpson, Chicken, & Small.
Also present; Jan Giggins, a few members of public

1. **Apologies for absence.** Cllrs Brookman and Knight
2. **Declarations of interest.** Cllrs Farrell and Crane – Item 7
3. **Minutes of the meeting held on 10th April 2017.** Cllr Simpson proposed the minutes as a true record, subject seconded by Cllr Small, one abstention, rest in favour.
4. **Planning Applications: -**
 - (a) **17/00864/ADV**
Tesco Stores, Everland Road,
Tesco Stores Limited
19 numbers of non-illuminated signs.
Cllr Crane proposed No Objections, seconded by Cllr Winser, all in favour.
 - (b) **17/00894/HOUSE**
23 Moores Place
Mrs Mollison
Proposed garden room outbuilding to be situated at bottom of the garden.
Cllr Farrell proposed No Objections, seconded by Cllr Simpson, all in favour.
 - (c) **17/00547/HOUSE**
4 Moores Place
Mr Nash and Miss Wright
Proposed single storey rear extension and alterations.
Cllr Winser proposed No Objections, seconded by Cllr Hudson, all in favour.
 - d) **17/00924/HOUSE**
79 Priory Road
Mr and Mrs Clements
Proposed rear conservatory.
Cllr Small proposed No Objections, seconded by Cllr Crane, all in favour.
5. **Case Officers Reports were noted.**
6. **Discuss and recommend to Extra Full Council, E&P committee decision on any further action to be taken following WBCs decision to vote in favour of the outline planning for 100 houses east of Salisbury Road/South of Priory Road (application - 16/03061/OUTMAJ)**

Update on actions

- Request of transcript of the Western Area Planning meeting held on 5th April
- Feedback on progress of calling into the Secretary of State and cut off dates.

The WAP meeting was very well attended by HTC Councillors. Cllr Hudson advised the WAP decision was an inappropriate decision and the WBC Councillors were advised incorrectly by the planning report. A week after the WAP meeting the inspector's report was received setting out his reasons as to why the DPD is sound. Cllr Hudson does not believe the inspector has followed procedure and neither did WBC's WAP meeting.

The first course of action is to write a letter to the Inspectorate to call in the decision for Salisbury Road. The AONB and Jan Giggins have already done this. Cllr Hudson has already written a draft but this will need amending as WBC has since received the Inspector's report.

Paragraph 116 hasn't been followed in either case, i.e. Salisbury Rd decision or by the Inspector in response to the DPD. For a fairly low cost we can obtain preliminary advice to see if we have a strong case to pursue a Judicial Review. There is a concern that a precedent will be set by the decision made at the WAP meeting. If WBC are not doing their job properly then they need to be exposed. Cllr Colloff suggested that HTC write to WBC's monitoring officer as the decision is against policy (refer to hectares quoted).

Cllr Crane advised WBC cannot reverse their decision so there is no point in writing to them. The decision is flawed. Cllr Small agrees 'exceptional circumstances' have not been considered.

WBC councillors were led to believe it was consistent with policy which is why it did not go to their Full Council. AONB has the same status as a National Park, higher than a Green Belt.

J Giggins advised that the decision should have gone to District Committee as it was against WBCs' own policy. J Giggins has written to the monitoring officer to this effect and expects a response in a few days. She asked that HTC also write as it would hold more weight. The decision hasn't been approved yet and this will happen when the S106/CIL agreement is signed.

ACTION: Cllr Farrell proposed E&P recommend to Full Council to write to the Inspectorate to call the application in. This has to be done within 6 weeks from the date of the decision appearing on the WBC website. All in favour. Copy this call into WBC and write to the monitoring officer.

Hungerford is completely open to planning applications now, particularly as it has no neighbourhood plan. The cost for a NP is probably around £50K.

Richard Baxter Associates consider cases like HTCs (in the AONB) to see if they are strong enough to pursue via a Judicial Review. Another company is the UK Environmental Law Associates who for a modest fee of £100 can give initial advice. NWD can't have a JR against WBC as they are partly funded by the district council. Hilary Cole was a representative on the NWD and was pressing for housing.

WBC has mostly met their numbers in the AONB. The Inspector had asked the question to WBC about considering other sites but this wasn't addressed. Demand for housing comes from 2000 houses required in the AONB. There is no specific demand for Hungerford.

ACTION: Cllr Farrell proposed Cllr Hudson sources a legal opinion (costing approx. £200) on whether we have a case to go forward to a Judicial Review, seconded by Cllr Hudson, all in favour.

Cllr Small left. The current plan will soon be superseded by the next plan and a 'call for sites' has already happened. There is no guarantee the Salisbury site will give affordable housing of up to 40%. Comments were made that during the WAP meeting, the Highways engineer was dismissive of traffic implications and no infrastructure has been put in place to mitigate this and buses have been reduced. H Cole, at the WAP meeting asked why the Salisbury Road application was even being discussed as the decision had already been made.

A section of the playing fields at JOG School has been fenced off, as part of the land that is being retained by WBC following the changeover to an academy and it is likely that this land has been submitted by WBC, in their call for sites. The Department of Education specified the amount of land Excalibur should obtain with a school of that size. WBC retained the remainder.

ACTION: Obtain clarification in writing from WBC about the school land.

Cllr Crane spoke to R Benyon MP about the numbers at JOG School. The MP wants more pupils from the new development to go to JOG School.

7. **Replacement pillar box on Park Street – Update on builder to build the new pillar-box – Not discussed**
8. **Neighbourhood Plan – Update on progress – to be discussed at Extraordinary Meeting.**

Meeting closed at 7.55pm