

# HUNGERFORD TOWN COUNCIL

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**MINUTES** of the **Environment and Planning Committee** meeting held on Monday 14<sup>th</sup> November 2022 at 7.00 pm in the Library, Church Street, Hungerford.

**Present:** Cllrs Fyfe, Yakar-Wells, Hudson, Lewis, Simpson, Winsor, Greenwell, Keates and Carlson. Also West Berkshire District Councillors Dennis Benneyworth and James Cole, representative from The Newbury Weekly News, applicant ref agenda point EP2022062 (a) and members of the public ref agenda point EP2022062 (a).  
**In attendance:** Lydia Cutland (Deputy Town Clerk)

**EP2022059**      **Apologies for absence** – none

**EP2022060**      **Declarations of interest**  
Cllr Yakar-Wells ref agenda point EP2022062 (b)  
Cllr Simpson ref agenda point EP2022062 (k)

**EP2022061**      **Approval of Minutes of the Meeting held on 10<sup>th</sup> October 2022 and update on actions.**  
**Proposed:** Cllr Greenwell  
**Seconded:** Cllr Yakar-Wells  
**Resolution:** To approve the minutes of 10<sup>th</sup> October 2022 as a true record.

**Outcome of actions:**

- 22/02008/ HOUSE Stubwood House. The application has since been closed. No further action required
- 22/02246/HOUSE 22 Aldbourne Close. The planning application has since been refused and although the action therefore closed, HTC would like clarity on the parking covenant in Aldbourne Close for future reference.  
**ACTION:** Cllr Benneyworth to follow up with WBC.
- 22/01939/CERTE 15 Bridge St - The planning application has since been refused and a new application, 22/02269/LBC2 submitted.  
**ACTION:** see agenda point EP2022062 (f)
- No further actions outstanding

**EP2022062**      **Planning applications:**

- a) 22/02304/FUL**  
Unit 4, The Cuttings – Mr Jim Priest  
Change of use from shop (class E) to public house (Sui Generis).

Verbal and written feedback was received from members of the public present and the applicant highlighting concerns and further detail in support of the application. See appendix below for submitted written details. It was also noted that as the number of objections listed on the planning application have now exceeded the minimum requirement, it will automatically be called in by WBC.

**Proposed:** Cllr Simpson

**Seconded:** Cllr Keates

**Resolution:** Objection

**Reason:** Hungerford Town Council objected due to several issues such as noise, litter, amenities, lack of disabled access and smoking area.

**b) 22/02460/HOUSE**

North Lodge, Hungerford Park – Hungerford Park Ltd

Extension and alterations – amended proposal

**Proposed:** Cllr Fyfe

**Seconded:** Cllr Simpson

**Resolution:** No objection, one abstention

**c) 22/02133/HOUSE**

Lock House, The Marsh – Mr and Mrs Roberts

Proposed rear extension, alterations and car port

**Proposed:** Cllr Lewis

**Seconded:** Cllr Winser

**Resolution:** No objection

**d) 22/02476/HOUSE**

1 The Forge – S Nash and K Hughes

Alteration to existing rear windows and doors, erection of single storey link extension and internal alterations

**Proposed:** Cllr Yakar-Wells

**Seconded:** Cllr Carlson

**Resolution:** No objection

**ACTION:** Although HTC proposed no objection, the pdf file detailing the public right of way could not be read within the planning application. The issue with not being able to open pdf files has arisen on previous occasions which prevents all information being taken into account for an application. DC Benneyworth to seek advice and report back.

**e) 22/02375/HOUSE**

28 Coldharbour Road – Mr and Mrs David Chambers

Single storey rear extension

**Proposed:** Cllr Simpson

**Seconded:** Cllr Greenwell

**Resolution:** No objection

**f) 22/02269/LBC2**

15 Bridge Street – Mrs Tania Hunwick

Fill in existing entrance to wing of flat. Put in entrance door where there was evidence of a previous door.

**Resolution one proposed:** Cllr Keates

**Seconded:** Cllr Simpson

**Resolution:** Objection

**Reason:** There is inadequate information to make a decision. HTC believes a full set of up-to-date architectural drawn plans are required

**Resolution two proposed:** Cllr Simpson

**Seconded:** Cllr Winser

**Resolution:** Request for DC Benneyworth to call this in.

**ACTION:** Request DC Benneyworth calls application in.

**g) 22/02436/HOUSE**

Globe Cottage, Old Hayward Bottom, Newtown - Mr G Gilpin and Ms G Taylor

Extensions and alterations

**Proposed:** Cllr Lewis

**Seconded:** Cllr Greenwell

**Resolution:** No Objection (overall majority, 2 x objections, 1 abstained)

**h) 22/01862/CERTP**

112A High Street – Mr Mark Staines

Solar Panel installation within a conservation area. Panels to be placed on the North and South facing roof.

**Proposed:** Cllr Keates

**Seconded:** Cllr Carlson

**Resolution:** No objection

**i) 22/02214/HOUSE**

97B High Street – Ms Samantha Cummins

Retrospective application for a single storey extension to the side of the building

**Proposed:** Cllr Greenwell

**Seconded:** Cllr Winser

**Resolution:** No objection, 1 abstained

**j) 22/02575/FUL**

19 Sarum Way – Mrs Frances Day Wilson

Demolition of the existing bungalow and garage. Construction of a new single storey dwelling and separate garages and a heat pump

**Proposed:** Cllr Winser

**Seconded:** Cllr Simpson

**Resolution:** Support

**k) 22/02426/HOUSE**

53 Fairview Road – Miss Samantha Newton

Installation of 12no, solar panels to front roof due to South East exposure.

**Proposed:** Cllr Lewis

**Seconded:** Cllr Carlson

**Resolution:** No objection, 1 abstained

**l) 22/02695/MDOPO2**

Land South of Priory Road - Synergy Housing Ltd

Request under section 106A subsection (1)(a) to modify the planning obligations within the section 106 legal agreement dated 16th November 2018 in relation to planning permission

16/03061/OUTMAJ - To amend the mortgagee exemption clause so that it will be satisfactory to the Registered Provider's lender to ensure that they will be able to secure the maximum amount against the Affordable Housing Units so as to facilitate the ongoing delivery of affordable housing within the area

**Proposed:** Cllr Fyfe

**Seconded:** Cllr Simpson

**Resolution:** Objection

**Reason:** HTC wishes to see no erosion of social or affordable housing provision at Lancaster Park.

**ACTION:** Request DC Benneyworth calls application in

**EP2022063 Case Officers Reports:** These were read out and noted.

The meeting closed at 8.22 pm.

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#### **APPENDIX ref Agenda point EP2022062 (a)**

The Cuttings reverts at 5pm to residential. Additional commercial activities past 5pm and at weekends extend environmental risks to residents.

My flat above the building in question, has been omitted from the application, evidencing that due diligence has not been done on the impact to local residents.

The application has limited detail on how the micro pub would operate. An environmental report hasn't been submitted therefore no conclusions can be given.

The concerns are: -

- Noise generated by the pub itself and it's guests.
- The applicant makes assumptions on noise levels with no plan as to how they will be controlled.
- There is no detail provided in terms of music, age ranges and numbers of guests.
- The plan doesn't function, there is nowhere to wash up, keep drinks cool, store waste, receive deliveries
- No noise impact assessment relative to summers months, outside seating, open windows, music, and aircon units
- No available area for smoking, just the alleyway and entrance to flats 7 and 8. Nothing to stop smoke going up into open windows.
- Increased risk of fire from smokers, lack of escape routes and increased waste.
- Assumes established waste arrangement with no plans to increase bins, manage litter, broken glass, rats etc. With 32 seats people will generate 10 times the amount of waste than before.
- No clarity on minimum space requirements and management of numbers

The proposal is exclusive rather than inclusive as a design.

- No reference to Equality legislation, no or design and access statement.
- No disabled access, no ambulant disabled provision or disabled provision for sanitary facilities.
- It's discriminatory and neglectful of parts of the community

Commercial damage, I'm advised by a local estate agent that

- The proposal has potential to impact lettings, potentially rendering the current tenancy invalid and consequently affecting my future letting status.
- The current property value may reduce by a substantial amount and the property become unsaleable

Sui Generis is not specific if approved, it will allow for a wide range of activities in the future including expanded food operations and live music.

There is a party wall issue with the shared ceiling / floor between the proposed development and my flat. Should the application be granted, I'm unlikely to grant permission to any works that sit outside the terms of maintenance.

In summary It seems grossly unfair that a few drinkers with plenty of options in Hungerford can disrupt the lives, livelihood, and wellbeing of others, and put them at increased environmental risks from noise, fire as well as the behaviours associated with drinking.

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Dear Councillors

I am writing to you in regard to the above planning application I have recently submitted to West Berks Council for the premises at Unit 4, The Cuttings, Hungerford, RG17 0LU. The application is for change of use of the premises from its current designation as Retail to Public House. As I'm sure West Berks will be approaching you for your views on this application, I thought I would take the opportunity to explain my plans for the property in more detail than the planning application allows.

I imagine the phrase Public House may already have raised some concerns. So let me start by stressing that the business model I will be following, should I be successful with planning and licensing approvals, is most definitely that of the "micro-pub". If you're not familiar with the concept, a brief explanation of what constitutes a micro-pub comes from The Micropub Association:

- Conversion of a closed shop (to bring back life to the high streets)
- Small in size (to keep costs down and encourage a convivial, friendly atmosphere - more akin to a 'gathering' than a pub)
- Limited service (Focusing on a smaller range of craft ales - ideally locally sourced - wines & craft spirits)
- Limited trading hours (All micropubs have varying hours, but few of them follow traditional pub times of 11am to 11pm 7 days a week. The hours are built around their customers, who are not the usual pub clientele).
- Reasonable prices (With low overheads, and using local suppliers, the cost savings are passed directly to the customers.)
- Micropubs do not sell alco-pops or cold gassy keg products. They specialise in craft ales in interesting choices which cannot usually be matched by public houses or supermarkets.
- No music (Micropubs focus on the 'lost art' of conversation and lively banter. The layout of micropubs encourages conversation - even between strangers.)
- No Television
- No electronic machines/devices
- No hot food (Micropubs often sell locally produced cold snacks, such as pork pies, scotch eggs, etc)

A local example of a micro-pub can be found in Newbury, the Cow & Cask in Inch's Yard, which has been trading successfully for some years now. Another successful example is The Shed, in Pewsey. This is the model I propose to introduce to Hungerford, which currently has nothing of this style on offer.

The premises in The Cuttings are currently unoccupied and have been so for some time. My proposal would bring an empty property back to life and I feel would add something quite unique to Hungerford's social scene.

My opening hours would be limited, as per the standard model, most probably along the lines of:

- Mon/Tues - closed
- Wed/Thur - 3.00pm - 9.00pm
- Fri/Sat - 3.00pm - 10.00pm
- Sun - 3.00pm - 6.00pm

My target clientele would come very much from the more "mature" end of the spectrum and I would want to build a very relaxed, laid-back atmosphere with conversation being the primary entertainment. As per the principles above, there will be no music, TV, video or gaming machines. I plan to source as many of the products on sale as possible from local suppliers, particularly the ales, many of which I will be obtaining from our wide range of excellent breweries in West Berks.

I'm sure you will agree that my proposed re-use of Unit 4 at The Cuttings will form a thoroughly positive addition to Hungerford's business and social activities. I hope therefore you will be able to offer your support in gaining approval for the application through the planning process.

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Dear sir/ madam

Re 22/02304/FUL- change use from shop (Class E) to Public House (Sui Generis)

My wife and I are elderly residents of Flat 8, The Cuttings. The flat belongs to our son and his wife and we have lived in the property for 21 years.

We are utterly devastated that that application has been submitted to the Council for change of use from a shop/ office to a public house.

We have various objections we strongly wish to raise.

Most importantly I want to bring to your attention the Human Rights Act

Article 1998 - the right to respect for our family and private life. Our home is one of the rights protected by the Human Rights Act. We have the right to enjoy our home peacefully without intrusion by a public authority. We would not be protected from the noise and pollution and lack of security emanating from this micro pub, this would be a breach of Article 8, therefore the presence of a proposed micro pub would present a serious breach of this condition.

In addition I have listed below various important concerns:

1. No facilities in place to provide a fire escape.
2. Where are empty kegs and crates going to be stored - on the pavement in front of the shop? Where and how are they going to get new stock unloaded and moved to the shop. There is narrow and limited space outside the premises and the loading and unloading of stock will impact on the safety of people passing as they leave and enter The High street from the car park and Hungerford railway Station.
3. Real ale contained in casks is pumped to the bar by gas from a canister. Specific storage facilities are required to maintain the gas cylinders on a premises and we are at risk with having gas cylinders stored on the premises
4. No provision in place for the disposal of waste rubbish. Where is rubbish going to be disposed of?
5. What facilities are in place to support health and hygiene of the premises. Toilet facilities will be required for customers and staff as well as for disabled persons. Insufficient toilet facilities will result in patrons

resorting to using the outside space which is the railway embankment. Unfortunately we have experienced passersby relieving themselves onto the railway reserve and even worse they have attempted and succeeded in using the entrance foyer into our flat.

6. Smoking will be done outside, we are non smokers and we will not tolerate smoke blowing into our flat if the windows are open, or if raining, patrons of the micro pub will use our foyer once again to smoke. Litter from discarded cigarette ends will be discarded all over The Cuttings. We are financially responsible for the upkeep and we physically clean The Cuttings to maintain a clean and litter free environment.
7. Noise levels will rise as a result of patrons being on the premises. After 5pm the shops below are closed and The Cuttings reverts to a residential area. We value our privacy and security and we will feel extremely threatened by the presence of people consuming alcohol during the week and weekends. We are all aware of how people behave when normal/excessive drinking takes place. Anti social behaviour will not be tolerated at all and we find this to be a common problem when alcohol is consumed.
8. We unfortunately have to tolerate the noise and intrusion of the main rail line and to add to this, the noise and presence of patrons of the proposed micro pub will be unacceptable. People socialising in pubs normally make a lot of noise, talking, laughing, it is what people do when out enjoying themselves and this would be very difficult to contain. People leaving pubs at night make a lot of noise and this will impact on our personal quiet time when we attempt to sleep at night. In addition when people pass by in The Cuttings below we can hear every word that is said as they go about their business. We in turn always ensure that we close our windows when we wish to maintain our privacy in relation to phone calls and personal issues so preventing being overheard.
9. If the micro pub does not attract so called up market clientele the owner would revert to allowing all and sundry to enter his premises to attract business so as to enable him to pay his bills.
10. Another very important fact is that if a micro pub is allowed to trade from the premises this will drastically reduce the value of all the flats.
11. The Cuttings is the entrance to the High Street from the the West Berkshire car park and people who have to use this access will be exposed to all and sundry emanating from the premises, especially at night and over the weekend. The Cuttings also serves as an access to The Three Swans pub/hotel on the High Street as patrons have to use the car parking facilities provided.
12. Commercially the current pubs/ hotels will suffer financially and we have a duty to protect those businesses who have survived and are trying to survive the current economic situation
13. There are empty premises on the High Street which could be considered to be suitable for this type of business, keep business's on the High Street and leave residential areas to be what they are, homes and places to live in peace and quiet and safety.
14. I have checked the plans that have submitted and are displayed on the West Berkshire Planning websites and it clearly reveals that the applicant Mr Jim Priest intends to provide seating for at least 32 patrons, this does not allow for those you will stand at the bar. His letter clearly states that he typically would not have more than 20 customers present on the premises at any one time.

In closing, I would like to say that your consideration re the objections raised would be appreciated. You need to come to The Cuttings and see for yourselves just how inappropriate this application is.