

<b>Item (3)</b>	<b>16/00657/FULEXT</b>
<b>Title of Report:</b>	<b>Land at former Travis Perkins site, Mill Lane, Newbury. David Wilson Homes [Southern] Limited Proposed conversion of extant permission of B1[a] office use to 22 dwellings, 11 of which are to be affordable. Associated access and parking.</b>
<b>Report to be considered by:</b>	District Planning Committee
<b>Date of Meeting:</b>	30 <sup>th</sup> August 2016.
<b>Forward Plan Ref:</b>	N/A

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=16/00657/FULEXT>

<b>Purpose of Report:</b>	<b>For the District Planning Committee to determine the application in question.</b>
<b>Recommended Action:</b>	<b>The Western Area Planning Committee, at the meeting on 10<sup>th</sup> August 2016, recommended that the application be approved subject to the first completion of the required s106 planning obligation.</b>
<b>Reason for decision to be taken:</b>	The application, if approved, would comprise a departure from current Development Plan Policy in the Core Strategy 2006 to 2026. Policy CS9 refers.
<b>Key background documentation:</b>	Western Area Planning Committee on 10 <sup>TH</sup> August 2016. Agenda Report and minutes, plus update sheet. Application file 16/00657/FULEXT.

#### **Key aims.**

Focus development on the existing urban areas.  
Promote vibrant town centres and local economic growth.  
Achieve sustainability in Council planning decisions.  
Provide new housing on brown field sites.

The proposals contained in this report have to be considered in order to help to achieve the above Council Strategy as set out in the 2013 to 2018 document.

<b>Portfolio Member Details</b>	
<b>Name &amp; Telephone No.:</b>	Councillor Hilary Cole
<b>E-mail Address:</b>	Hilary.Cole@westberks.gov.uk

<b>Date Portfolio Member agreed report:</b>	To be advised.
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<b>Contact Officer Details</b>	
<b>Name:</b>	Michael Butler
<b>Job Title:</b>	Principal Planning Officer
<b>Tel. No.:</b>	01635519111
<b>E-mail Address:</b>	Michael.butler@westberks.gov.uk

## **Implications**

<b>Policy:</b>	Core Strategy Policies – ADPP2, CS5, CS6, CS9, CS13.
<b>Financial:</b>	If approved the Council will receive CIL payments via the scheme of circa £48,000, plus new homes bonus and additional rates / Council tax per annum.
<b>Personnel:</b>	N/A
<b>Legal/Procurement:</b>	N/A
<b>Property:</b>	N/A
<b>Risk Management:</b>	N/A
<b>Equalities Impact Assessment:</b>	N/A

## **EXECUTIVE SUMMARY**

### **1 INTRODUCTION**

- 1.1 The Western Area Planning Committee on 10<sup>th</sup> August 2016, considered an agenda report for the application as noted. This comprised the erection of 22 flats in a 3 storey block with 47 car parking spaces, external amenity space and access. The site in question is brown field and vacant. The main report sets out all the details in Appendix 1.
- 1.2 Policy CS9 in the Core Strategy 2006 to 2026 is an employment protection designation on the land in question. This means that essentially non-employment generating developments, such as housing, will not be permitted, unless exceptional circumstances pertain. Clearly in this application, housing is being promoted by the Developer. Accordingly the application, if approved, would be contrary to policy CS9 and so comprise a departure from the Development Plan. The application has been advertised as such, in addition.
- 1.3 In this particular case, officers and indeed the Western Area Planning Committee are recommending to the District Planning Committee, that the application be approved because, within the application, whilst it is duly acknowledged that an approval would mean the loss of employment land in the future, and so be

contrary to policy CS9, the planning gain of the additional 11 affordable units [50% rate rather than the normal 30% rate advised in policy CS6] is sufficient to set aside the underlying policy objection and loss of employment land. The detailed reasons are set out more fully in Appendix 1.

## **2 CONCLUSION**

- 2.1 Bullet point 1 of paragraph 17 in the NPPF [Core planning principles], notes that inter alia, planning should be genuinely plan led, and should be kept up to date. In addition, paragraph 22 of the same document notes that “planning policies should avoid the long term protection of sites allocated for employment use, where there is no reasonable prospect of a site being used for that purpose”. Clearly, these two points appear to conflict. In this instance, both officers and the Western Area Committee consider that the present application should be approved, given the benefits arising, identified above, that is, the harm to policy CS9 will be minimal, and it will not be undermined in regard to subsequent applications for housing on policy CS9 sites in the District. In addition, it is a long held tenet of planning advice, and indeed legislation, that every application must be treated on its own individual planning merits.

## **3 RECOMMENDATION**

- 3.1 That the District Planning Committee **GRANT** planning permission to planning application 16/00657/FULEXT subject to the first completion of the required s106 obligation to deliver the 11 affordable units on the site, with the conditions as noted on the agenda reports and update sheet.

## **APPENDICES**

- 1 WAP Committee Report of 10<sup>TH</sup> August 2016
- 2 Update report to WAP on 10<sup>th</sup> August 2016
- 3 Minutes of meeting held on 10<sup>th</sup> August 2016.

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