

Item No.	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(2)	11/00490/FUL Newbury Town Council	15 th June 2011	Erection of 24 hour nursing care home for 24 patients. Land adjacent Falkland Surgery. Monks Lane, Newbury. Priory and Berkshire Healthcare NHS Foundation Trust.

Recommendation Summary: **The Head of Planning and Countryside be authorised to GRANT planning permission subject to the completion of a s106 planning obligation.**

Ward Member(s): Councillors Johnston and Tuck

Reason for Committee Determination: Number of objections received [10] and application, if approved, would comprise a Departure from the Development Plan.

Committee Site Visit: 19th May 2011

Contact Officer Details	
Name:	Michael Butler
Job Title:	Principal Planning Officer
Tel No:	(01635) 519111
E-mail Address:	mbutler@westberks.gov.uk

1. Site History

142801 New rugby club, playing fields etc - approved 1996

157219 Erection of Doctors surgery - approved 2000 - outline only.

01/00988/resmat - as above - approved 2001.

2. Publicity of Application

Site notice displayed on 20th April 2011. Expiry on 11th May 2011.
Advertised as a 'Departure Application'.

3. Consultations and Representations

Town Council:	Comments awaited. See Update Report.
Highways:	Under SPG4/04, the sum of £12,000 is requested to allow for the increase in traffic generation from the site. Cycle parking stands should be increased. Red line access needs to be extended – (NB Officer comment – this has now been received. Conditional permission is duly recommended).
Environment	Application is one of low environmental risk –no objections.
Agency	
MOD	No safeguarding objections
Social Services	Difficult to ascertain the impact upon local social services should the patients be discharged. Neither support nor object at this stage. .
Primary Care Trust	If approved will have an impact upon adjoining surgery - figure of £2160 requested under SPG 4/04.
Transport Policy	No objections but allow for visitor cycle parking.
Public Protection	Conditional permission is recommended - noise, ventilation, dust suppression, hours of working.
Ecologist	No objections
Thames Water	No objections
Correspondence:	10 letters of objection received. Concerns based upon lack of space on site, noise and disruption, not appropriate to have such patients close to a school, increased traffic on Monks Lane, increased parking pressures, devaluation of dwellings [not a planning matter] loss of outlook and view, precedent, loss of green field site and useful playing fields, impact on local surgery, impact of increased traffic on underground waste pipe [domestic], disruption to southern green boundary of the town.

4. Policy Considerations

PPS1

South East Regional Plan 2009 - Policies S1 and S2

West Berkshire District Local Plan 1991 to 2006 Saved Policies - ENV18, OVS3 and HSG1.

West Berkshire Core Strategy – Policy CS4 - Sandleford Park allocation for housing Council's SPG4/04 – Developer Contributions.

Circular 5/2005.

CIL Regulations 2010.

5. Description of Development

- 5.1 The application site lies immediately to the south of Monks Lane, Newbury on an open green field site used as a practice ground for the under sixes rugby at the Newbury Rugby Club. It lies adjacent [to the west] of the existing Falkland Doctors' Surgery. The proposal is for a 24 hour care nursing home for mentally ill patients. The application site is 0.5 ha. in extent and is roughly rectangular in shape. It is bounded by hedging to the north, a post and rail fence to the east, hedging to the west, and open playing fields to the south, comprising part of the rugby club. To the west lie the playing fields for Park House School.
- 5.2 The building proposed will be 2 storeys in height, [7.443m to ridge] and is 545m² in floorspace. It will comprise 24 bedrooms, dayrooms, dining facilities, therapy facilities, and other administration/ office rooms. There is to be a car parking area to the north with 2 disabled spaces, plus 12 normal parking spaces for staff and visitors – it is not envisaged that any of the patients will have cars. The building will have an 'L shaped' layout with a forward building line to the south of the existing building line created by the surgery to the east. The access road to the site will be via an extension of the existing access road to the south of the surgery and then onto Monks Lane itself. The whole site is to be fully landscaped and a small private garden for staff and residents located to the south west of the building. The materials to be employed on the scheme will be brick facings with cream rendering, and a hipped roof design with grey slate tiles.
- 5.3 The whole unit will fall within Class C2 of the 2004 amended Use Classes Order, which is for a residential institution. It will be used for housing those with long term mental health issues, who need to however be re-integrated back into community living.

6. Consideration of the Proposal

The application will be considered under the following headings:-

- 1 - Planning Policy
- 2 - Need for the Provision
- 3 - Visual Impact
- 4 - Other planning issues

6.1.1 Planning Policy.

6.1.2 The application site lies outside the defined settlement boundary of the town - the line of the boundary follows Monks Lane at this juncture. Accordingly the Falkland Surgery also lies outside the town boundary, but was however approved by the Council some 11 years ago, as being a highly valuable community facility that should be permitted, notwithstanding its greenfield location. Accordingly it is a fact that not only has a policy precedent been set for such buildings, but the visual impact of that building is already apparent on the road – see above. This is of course not a “good” planning reason in itself to justify adjacent development, but the applicants rightly pray this situation in aid of the current application.

6.1.3 Further to this, it is apparent via Policy CS4 in the Council’s emerging core strategy, that the preferred direction of travel for major new housing development, is the Sandleford Park allocation in Newbury following the commitment of the Racecourse scheme – application no. 09/00971/outmaj refers. This allocation, if approved by the Inspector at the Inquiry, will permit up to 2000 dwellings to the south of Monks Lane, in due course, up to 2026 and indeed beyond. This is one more material consideration which “favours” the proposal. Secondly adjacent to the application site, on the playing fields to the west, is an extant “commitment” at least in policy terms, under policy HSG5 in the adopted current local plan [Saved Policies 2007] for new housing. Whilst this is not being actively progressed at present, given the views of the Education Authority on retaining required playing fields, it remains the case that at some point in the future [without prejudice] this site could still come forward for housing if suitable alternative playing fields are found for the school. Again the applicants pray this point in aid and it is considered to be a legitimate and valid material planning consideration.

6.1.4 Next, the South East Regional Plan of 2009 is still in force for the present time. Policy S1 seeks to support healthy local communities and places particular emphasis on the need for providing housing for socially excluded groups. Policy S2 notes in addition that local authorities should work with partner organisations such as the NHS and PCT to support anticipated health needs of local communities, which of course includes the mentally ill.

6.1.5 Finally the principal local policy against which the application must be addressed is ENV18 in the Local Plan. This is essentially the “catch all “ policy which seeks to control all new development in the rural areas where, outside exception sites, such as those defined in policy HSG5. The criteria of b] and c] in the policy do not assist the application, since they correspond to brownfield sites and housing. However criterion a] corresponds to the need to assist the rural economy. Naturally the application site cannot be described as being rural, however it is the case that if the application were to be approved, not only would a valuable local community facility be created but an £3.5 million investment in the local economy would be made, assisting not only future funding of the rugby club, (itself an important recreational facility), but also in providing up to 23 new jobs on site.

6.1.6 Members will be aware that the present Government is keen to progress such investment where the local community so wishes [see the Localism Bill]. Having said that it remains the case that, in officers' opinion, the applicants still need to prove an "exceptional" justification for the facility if it is to override such policy. The fact that the site is affordable for the use [which cannot compete on land price with brown field sites in the settlement for e.g. housing] is capable of being considered a material land use consideration, assuming that the community need for the facility is overriding in itself. Corresponding to this, the applicant has submitted a sequential test in the form of a search for possible alternative sites in the town which might be available – a total of 8 sites are listed which are all deemed unsuitable for various reasons. Officers have also suggested 2 other sites, which for reasons of confidentiality are not noted here but these have also been discounted for valid planning reasons. Officers are thus reasonably satisfied, in accord with the advice in PPS4, that a thorough search over a number of years [4] has been undertaken to no avail.

6.2.1 The Need for the Provision.

6.2.2 The new facility, if approved and built, will provide secure and safe accommodation for those suffering from enduring mental illness over prolonged periods. It will be managed by Priory Healthcare who currently operate Thornford Park at Crookham nearby. It is envisaged that the new patients will be transferring from a ward closing down in Prospect Park in Reading, so being nearer to their local family networks in the Newbury area which will not only assist the families concerned but also will assist the ongoing rehabilitation of the patients themselves. This will also be in the interests of sustainability [see policy OVS1 in the Local Plan and PPS1], especially since the location of the new care facility is in a sustainable location itself i.e. close to shops, the surgery and local bus routes. It is also the case that the present hospital at Prospect Park provides acute care only, which is not suitable for "better" patients, who, if they can be integrated back into community life, have less chance of becoming institutionalised over a long period i.e. they can lead more self fulfilling and independent lifestyles. Understandably, this will enhance the patients quality of life and indeed may provide opportunities for the local community to become involved with the facility. It is also the case that, assuming the Sandleford Park allocation proceeds, there will inevitably be a need in the future for more health facilities such as this as the population of the town grows over time. This would be in accord with the draft Infrastructure Development Plan set out as part of the Council's emerging core strategy.

6.2.3 Having had a number of discussions and meetings with the applicants agent, officers are satisfied that, on balance, the erection of this new building on a greenfield site is justified given the clear community benefit and need of the patients in question along with their families.

6.3.1 Visual Impact

6.3.2 The new building will be two storeys in height, similar to the adjacent surgery. It is also on almost identical level ground and will be 7.4m in height to the ridge. The forward building line will be some 33m back from the highway edge of Monks Lane, and indeed will be in excess of 50m from the nearest dwelling to the north on Monks Lane. The width of built footprint fronting Monks Lane [i.e. the north elevation] will be no more than 26m, with a physical separation from the surgery of

some 15m. Having noted all this however, it remains the case that the application site is undoubtedly positioned on greenfield land in terms of planning policy. This is clearly a location where the planning authority would not normally expect to approve new buildings on “infill” plots such as this.

6.3.3 The policy position is examined in due course. It is clear though that if the application is approved there will be no harmful visual impact [although the impact will be more than marginal] upon the local street scene – given the generous set back from the Monks Lane, the ground levels noted, the intervening landscaped screen/hedge to the north, and the fact that the building will be read visually in concert with the surgery adjacent. This is further assisted by the manner in which the building has been designed in that it presents a relatively narrow frontage to Monks Lane i.e. its depth will be greater at 32m.

6.4.1 Other Planning issues

6.4.2 A number of objectors have raised concerns over increased parking and traffic pressures arising from the application. A transport statement has been submitted with the application which notes that the total number of trips generated per 12 hour day will be some 47 [in and out] which is considered to be minimal, particularly given the non peak hour nature of these trips due to the shift working times of the staff etc. The access onto Monks Lane is good and it is not envisaged that additional parking will occur on Monks Lane itself – this rarely occurs with the surgery at present. Accordingly, alongside the requested s106 contribution of £12000, which it is understood the applicant has informally accepted, there are no harmful highway implications arising from the scheme.

6.4.3 The question of policy and need has already been addressed above, whilst the matter of the private domestic sewer under Monks Lane is a private matter to be taken up with the Highway Authority if necessary. Any issues regarding noise during construction and indeed during operation of the new home can be controlled by appropriate planning conditions as recommended by Public Protection officers. Issues of a loss of view and devaluation of property are not planning matters as the Committee will appreciate. It is not considered by officers that the scheme comprises an overdevelopment, but rather it will be a potentially attractive and well designed building which should sit comfortably within a landscaped setting. Lastly, the issue of no building to the south of Monks Lane has already been “breached” by the new surgery, the rugby club, the new college and associated facilities recently constructed, the potential HSG5 allocation noted and lastly but not least the Sandleford Park scheme itself which, although yet to be formally ratified by the Inspector, remains the Council’s strategic planning policy.

7. **Conclusion**

7.1 On the one hand officers acknowledge that the application site is greenfield and lies outside the defined settlement of the town. It is also acknowledged that it will inevitably have a degree of visual impact on the surrounding area, by virtue of its physical mass and presence, and a degree of noise and impact caused by the level of activity on site. However balanced against these negative considerations, is the clear patient need and community benefit arising from the development and the Sandleford strategic allocation noted which will, over time, not only spread urban

development to the south of the town but “create” its own pressures for such facilities , by virtue of population increase.

- 7.2 Although the planning considerations are finely balanced, the scheme proposed is considered to be acceptable and a conditional approval is acceptable based on the conclusion above.
- 7.3 Members are reminded that should the resolution of the committee be to approve, the application must be referred to the District Planning Committee – next held on 8th June 2011. This is because the Development Control Manager has determined that to approve such an application would be a departure from extant policy. For clarity, if the application is refused, this can be decided by Western Area Planning Committee.

8. Full Recommendation

The Western Area Planning Committee resolve to approve the application and refer the application to the District Planning Committee for determination. If approved the Head of Planning and Countryside be then authorised to GRANT planning permission subject to the first completion of a s106 planning obligation within three months of the date of that Committee, i.e. 8th September 2011.

If for any reason the obligation is not completed by the above date, the application be refused, where considered expedient, for the following reason:-

“Notwithstanding the Council’s acceptance in principle of the application, the applicant has failed to enter into a s106 obligation which would mitigate the impact the increased traffic generation will have upon the Council’s roads and health infrastructure. Accordingly the application is contrary to policy OVS3 in the West Berkshire District Local Plan 1991 to 2006 [Saved Policies 2007], the advice in Circular 5/2005 and the Council’s SPG4/04 as updated plus the CIL Regulations dated 2010. The application is thus unacceptable.”

Conditions:-

1. The development shall be started within three years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development against Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 [Saved Policies 2007] should it not be started within a reasonable time.

2. Prior to the commencement of development, samples of the materials to be used in the proposed development shall be submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application, and shall where necessary include the submission of samples of glass, plastic and mortar materials. Thereafter the materials used in the development shall be in accordance with the approved samples.

Reason: In the interests of visual amenity in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 – 2006 [Saved Policies 2007].

3. Prior to the commencement of development details of the external lighting to be used in the areas around the proposed building(s) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter no building shall be occupied until the external lighting has been installed in accordance with the approved details.

Reason: The Local Planning Authority wish to be satisfied that these details are satisfactory, having regard to the setting of the development in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991-2006[Saved Policies 2007].

4. All plant, machinery and equipment (including fans, ducting and external openings) to be used by reason of the granting of this permission shall be so installed, maintained and operated to prevent the transmission of noise and vibration into any premises either attached to, or in the vicinity of the premises to which the application refers.

Reason: To ensure that unacceptable levels of noise and vibration do not emanate from the building and to protect local residents from unreasonable disturbance caused by the use permitted in accord with policy OVS6 in the West Berkshire District Local Plan 1991 to 2006 [Saved Policies 2007]

5. No development shall take place until details of the air ventilation systems have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details.

Reason: To protect the amenities of the occupiers of residential accommodation in the vicinity. In accord with policy OVS2 in the West Berkshire District Local Plan 199 to 2006 [Saved Policies 2007].

6. Before development commences the applicants shall submit to the Local planning authority a scheme of works, or other steps as may be necessary to minimise the effects of dust from the development. Development shall not commence until written approval has been given by the Local planning Authority to any such scheme of works.

Reason: In the interests of amenities of neighbouring occupiers in accord with policy OVS2 in the West Berkshire District Local Plan 1991 to 2006 [Saved Policies 2007].

7. The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing be limited to:

7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring occupiers in accord with policy OVS6 in the West Berkshire District Local Plan 1991 to 2006 [Saved Policies 2007].

8. Prior to the development being brought into use the vehicle parking spaces shall be surfaced, marked out and properly provided in accordance with the approved drawing(s). The spaces shall, thereafter, be kept available for parking (of private motor cars and/or light goods vehicles) at all times. Vehicles shall only be parked within those marked spaces.

Reason: To regularise the use of the available parking area and to reduce the likelihood of roadside parking, which would be a danger to road users in accordance with Policies TRANS 1 and OVS 2 of the West Berkshire District Local Plan 1991-2006 [Saved Policies 2007].

9. Prior to the commencement of development, details of the cycle parking and storage space to be provided within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking and storage space shall be provided prior to the development being brought into use in accordance with the approved details and retained for this purpose at all times.

Reason: To ensure that there is adequate and safe cycle storage space within the site in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991-2006 [Saved Policies 2007].

10. Prior to the commencement of development, details to show a temporary parking area and turning space to be provided and maintained concurrently with the development of the site, shall be submitted to and approved in writing by the Local Planning Authority. Such approved parking area and turning space shall at the commencement of development be provided and thereafter retained in accordance with the approved details until the development has been completed and shall during that time be used for parking by all employees, contractors and operatives or other visitors during all periods that they are working at or visiting the site.

Reason: In accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006 [Saved Policies 2007] to ensure the development is provided with adequate parking facilities during the construction period, in order to minimise the incidence of off site parking in the locality which could cause danger to other road users or long term inconvenience to local residents especially on Monks Lane.

11. The scheme must be built out in accord with the amended plans received on 5th May 2011 - site plan - amended red line.

Reason: in order to clarify the planning permission.

DC