

Title of Report:	Erection of 24 hour nursing care home for 24 patients. Land adjacent Falkland Surgery, Monks Lane, Newbury . Priory and Berkshire Healthcare NHS Foundation Trust.
Report to be considered by:	District Planning Committee
Date of Meeting:	8 June 2011
Forward Plan Ref:	N/A

Purpose of Report: **For the District Planning Committee to determine the application in question.**

Recommended Action: **The Head of Planning and Countryside be authorised to approve the application subject to the first completion of a s106 planning obligation.**

Reason for decision to be taken: Referred to District Committee by Members of the Western Area, with a resolution to approve, since the application comprises a departure from planning policy.

Key background documentation: Western Area Planning Committee agenda dated the 25th of May 2011, update sheet, plus minutes of that meeting of agenda item no 1.

<p>The proposals contained in this report will help to achieve the following Council Plan Theme:</p> <p><input checked="" type="checkbox"/> CPT2 - A Cleaner and Greener West Berkshire – a better place to live</p> <p>The proposals will also help achieve the following Council Plan Outcomes:</p> <p><input checked="" type="checkbox"/> CPO4 - High Quality Planning</p> <p>The proposals contained in this report will help to achieve the above Council Plan Themes and Outcomes by:</p> <p>If approved it will provide a significant improvement in local healthcare facilities for the mentally ill in the District.</p>

Portfolio Member Details	
Name & Telephone No.:	Councillor Alan Law
E-mail Address:	alaw@westberks.gov.uk

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

Implications

Policy: Implications for the Development Plan particularly in relation to Policies ENV18 and HSG1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 (WBDLP) in terms of the need to protect greenfield sites outside settlement boundaries.

Financial: If the application is approved the Council will receive a figure of £12,000 as highways developer contributions under spg4/04.

Personnel: Nil

Legal/Procurement: Nil

Property: Nil

Risk Management: Nil

Equalities Impact Assessment: Nil

Executive Summary

1. Introduction

- 1.1 The application before the Committee is outlined in Appendix 1 which includes the Officer's report, update and minutes, on the proposed development considered at the Western Area Planning Committee on the 25th of May 2011..
- 1.2 The application seeks to erect a new patient care facility for the mentally ill . The building will house 24 patients and will comprise 24 hour care. Further details of the scheme are fully outlined in the main agenda report.
- 1.3 .The committee resolved to approve the application for the reasons as set out in the officers agenda report, and following the discussion and debate as noted in the attached minutes. Essentially the Committee were persuaded, on balance, to approve the scheme given the exceptional health community need for the new facility, despite its greenfield status, and location just outside the defined settlement boundary of the town, which corresponds to Monks Lane. This community need, in their collective opinion, overrides the underlying policy objection to new building on such sites, as controlled by Policies ENV18 and HSG1 in the approved Local Plan 1991 to 2006 [saved September 2007].
- 1.4 In addition, if the application were to be approved, the Western Area Committee noted that three further conditions corresponding to landscaping, means of enclosure, and refuse storage be attached to any planning permission, with an informative that external facing materials be approved in conjunction with the ward members.

2. Conclusion

- 2.1 Planning officers are continuing to recommend a balanced approval of the application for the reasons as set out in the principal report. If the committee are minded to approve the application it will first need to be referred to the National Planning Casework Unit for 21 days to determine if the Secretary of State wishes to "call in" the application for his decision. Members are also reminded that if the application is not called in and accordingly resolved to be approved, this will require the completion of a s106 planning obligation before an approval decision can be issued. If the committee refuse the application no referral will be required, since a refusal would be in accord with the Development Plan.

3. Recommendation

That the Head of Planning and Countryside be authorised to APPROVE planning permission , with the first completion of the required s106 planning obligation within 3 months of the date of this committee , assuming the application is not called in by the Secretary of State for Communities and Local Government. Conditions to be attached as on the principal agenda report in Appendix 1.

If for any reason the s106 obligation is not completed by the 8th September 2011, the application be refused, where expedient, for the following reason.

3.1 The applicant has failed to enter into a s106 planning obligation which would mitigate the impact the new occupants of the facility will have upon the Districts highways network .Accordingly the application does not comply with policy OVS3 in the West Berkshire District Local Plan 1991 to 2006 [saved September 2007] policy CC7 in the South East Plan May 2009, the advice in Circular 5/2005 and the 2010 CIL regulations and the Councils spg4/04 as amended. Accordingly the application is unacceptable.

Appendices

Appendix 1 - Agenda Report for 11/00490/ful –Western Area Committee of the 25th May 2011.

Appendix 2 - Update paper.

Appendix 3 - Minutes of the Western Area Committee of the 25th May 2011 **(to follow)**.

Consultees

Local Stakeholders: Town Council

Officers Consulted: Gary Rayner, Development Control Manager
Highways Officers, Western Area Planning

Trade Union: N/A