

<b>Item No</b>	<b>Application No. and Parish</b>	<b>8/13 Week Date</b>	<b>Proposal, Location and Applicant</b>
(7)	05/01599/FUL Newbury Town Council	7 <sup>th</sup> September 2005.	Change of use of public open space to private amenity space. Land to side of former car park, Newbury Hospital site. Sovereign Housing.

**Recommendation Summary:**      **The Head of Planning and Transport Strategy be authorised to grant conditional permission.**

**Ward Member(s):**                      Councillors Hannon and Webster.

**Reason for Committee determination:**      Council owns land in question and one objection received.

**Committee Site Visit:**                      N/A

<b>Contact Officer Details</b>	
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## Site History

01/00627/relax Variation of Conditions Nos. 1 and 2 to extend period for submission of reserved matters. Approved 2001.

04/01302/resmaj Development [in part] of south site for 15 No. 2 bed flats. Retirement. Approved 23<sup>rd</sup> Feb 2005.

05/01174/fulmaj Relaxation of conditions Nos. 7, 15 and 18 of 04/01302/resmaj .Approved August 2005.

## Publicity of Application

Neighbour notification expired. 11<sup>th</sup> August 2005.

Site notice expired. 16<sup>th</sup> August 2005.

## Consultations and Representations

**Town Council:** Object in relation to loss of public open space.

If approved seek a s106 contribution of £12,000 towards re-opening of Newtown Road Cemetery to the public.

**Highways:** No objections. The highway rights of this land are in the process of being formally extinguished.

**Correspondence:** No letters of objection or comment received.

## Policy Considerations

PPS1

Berkshire Structure Plan 2001 to 2016. Policy DP5.

West Berkshire District Local Plan 1991 to 2006. Policies OVS2, ENV30 and RL3A.

## Description of Development

It is proposed to change the use of an area of public open amenity land along an existing highway frontage, adjacent the former car park for the old Hospital site, into private amenity space for the proposed residents in the 15 flat scheme now under construction on the car park. If approved, the site will then be landscaped and enclosed by a 1.5 m high brick wall topped with bow metal railings. Furthermore, if approved, the application would then entail the demolition of the now disused toilet block on the frontage which, in itself, does not require planning permission.

## Consideration of the Proposal

The application will be considered against the following issues:-

### 1 - Policy - Visual impact and loss of amenity

Policy RL3.A of the District Local Plan indicates that the Council will resist the loss of public open space unless an equivalent and equally convenient and useable area for public access is laid out and made available by the applicant. In this case, the applicants are not proposing any other public open space in the vicinity as an alternative.

However, in this instance, a number of factors apply. Firstly, by permitting the scheme, the soft landscaped frontage on the site to the new housing now under construction will certainly be improved by virtue of the freeing up of new land for the additional planting of species. The enclosure should also assist in this regard.

Secondly, the application site will automatically include the toilet block which is now a considerable local eyesore. By its removal local visual amenity will be significantly improved.

Thirdly, the application will not impinge upon any pedestrian movement along the existing frontage as the footway will be retained, and finally, it is considered that the present area of public open amenity land is not especially attractive and is little used by members of the public at present. [The site area is just 0.0343 of a hectare.]

For all these reasons, whilst the objection of the Town Council is understood, the application is, on merit, acceptable in visual and policy terms.

The criteria of SPG 4/04 are not considered to apply to this particular application in terms of the contributions requested by the Town Council since the change of use is not for commercial space per se, nor residential, in terms of additional housing units.

## **Conclusion**

For the above reasons and the planning "gain" noted via the loss of the toilet block, the application is considered acceptable.

## **Full Recommendation**

The Head of Planning and Transport Strategy be authorised to grant conditional permission subject to the following conditions:-

1 The development shall be started within five 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 should it not be started within a reasonable time.

2 The development shall be landscaped in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority before development commences and shall ensure:-

(a) the carrying out of any earth moving operations concurrently with the carrying out of the building and other works;

(b) completion of the scheme during the planting season next following the completion of the building(s), or such other date as may be agreed in writing by the Local Planning Authority;

(c) the maintenance of the landscaped areas for a period of five years or until established, whichever may be longer. Any trees or shrubs removed, or which in the opinion of the Local Planning Authority, are dying, being severely damaged or becoming

seriously diseased within five years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will in due course improve the environmental quality of the development in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 to 2006.

3 Within 3 months of the decision to approve this application the toilet block on the site shall be demolished in full and the land landscaped in accordance with the approved scheme noted under 04/01302/resmaj.

Reason: to enhance local visual amenity in accord with Policies ENV30 and OVS 2 of the West Berkshire District Local Plan 1991 to 2006.

DC