

Notice of Meeting

Western Area Planning Committee

Wednesday, 19 March, 2014 at 6.30pm

**in Council Chamber Council Offices
Market Street Newbury**

Members Interests

Note: If you consider you may have an interest in any Planning Application included on this agenda then please seek early advice from the appropriate officers.

Date of despatch of Agenda: Monday, 10 March 2014

FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC

Plans relating to the Planning Applications to be considered at the meeting can be viewed in the Council Chamber, Market Street, Newbury between 5.30pm and 6.30pm on the day of the meeting.

No new information may be produced to Committee on the night (this does not prevent applicants or objectors raising new points verbally). If objectors or applicants wish to introduce new additional material they must provide such material to planning officers at least 5 clear working days before the meeting (in line with the Local Authorities (Access to Meetings and Documents) (Period of Notice) (England) Order 2002).

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact the Planning Team on (01635) 519148

Email: planapps@westberks.gov.uk

Further information, Planning Applications and Minutes are also available on the Council's website at www.westberks.gov.uk

Any queries relating to the Committee should be directed to Elaine Walker / Jenny Legge / Jessica Collett on (01635) 519441 / 503043 / 5031 Email:
ewalker@westberks.gov.uk / jlegge@westberks.gov.uk / jcollett@westberks.gov.uk



Agenda - Western Area Planning Committee to be held on Wednesday, 19 March 2014
(continued)

To: Councillors David Allen, Jeff Beck, Paul Bryant (Chairman), George Chandler, Hilary Cole, Paul Hower, Roger Hunneman, Garth Simpson, Anthony Stansfeld, Julian Swift-Hook, Ieuan Tuck and Virginia von Celsing (Vice-Chairman)

Substitutes: Councillors Howard Bairstow, Billy Drummond, Adrian Edwards, Mike Johnston, Gwen Mason, Andrew Rowles and Tony Vickers

Agenda

Part I

Page No.

(1) **Application No. and Parish: 13/02741/FUL - Yattendon**

1 - 2

Proposal: Erection of shed

Location: Orchard Day Nursery, Everington Bungalow, Everington Hill, Yattendon

Applicant: Mr Andrew Webber

Recommendation: To DELEGATE to the Head of Planning and Countryside to **GRANT** planning permission

(2) **Application No and Parish: 12/02884/FULEXT - Greenham**

3 - 6

Proposal: Redevelopment of existing sports facility, and erection of 40 dwellings, with associated parking, garages, access and landscaping.

Location: Greenacre Leisure Pyle Hill Newbury Berkshire RG14 7SW

Applicant: Bloor Homes Limited

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

Agenda - Western Area Planning Committee to be held on Wednesday, 19 March 2014
(continued)

(3) **Application No and Parish: 13/02581/COMIND - Greenham**

7 - 10

Proposal:	Proposed sports and leisure club, with indoor and outdoor tennis courts, sports and leisure building, outdoor swimming pool, with associated parking and access, and landscaping.
Location:	Land at Newbury Rugby Club, Monks Lane, Newbury.
Applicant:	Stax Leisure [Newbury], Ltd.
Recommendation:	The Head of Planning and Countryside be authorised to GRANT planning permission, subject to the first completion of a s106 planning obligation.

Background Papers

- (a) The West Berkshire Core Strategy 2006-2026.
- (b) The West Berkshire District Local Plan (Saved Policies September 2007), the Replacement Minerals Local Plan for Berkshire, the Waste Local Plan for Berkshire and relevant Supplementary Planning Guidance and Documents.
- (c) Any previous planning applications for the site, together with correspondence and report(s) on those applications.
- (d) The case file for the current application comprising plans, application forms, correspondence and case officer's notes.
- (e) The Human Rights Act.

Andy Day
Head of Strategic Support

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



West Berkshire
C O U N C I L

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WESTERN AREA PLANNING COMMITTEE ON 19 MARCH 2014

UPDATE REPORT

Item No: (1) **Application No:** 13/02741/FUL **Page No.** 11 - 20

Site: Orchard Day Nursery, Everington Bungalow, Everington Hill, Yattendon

Planning Officer Presenting: Derek Carnegie

Member Presenting:

Parish Representative speaking: Ms Anne Harris

Objector(s) speaking: Ms Marian Spain on behalf of objectors

Support(s) speaking: Mrs Eva Hughes

Applicant/Agent speaking: Mr Andrew Webber

Ward Member(s): Councillor Virginia von Celsing

Update Information:

No update information.

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WESTERN AREA PLANNING COMMITTEE ON 19 MARCH 2014

UPDATE REPORT

Item No:	(2)	Application No:	12/02884/FULEXT	Page No.	21-38
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Site: Greenacre Leisure, Pyle Hill, Newbury

Planning Officer Presenting:	Michael Butler.
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Member Presenting:	N/A
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Parish Representative speaking:	N/A
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Objector(s) speaking:	N/A
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Support(s) speaking:	Mr Sean Bates
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Applicant/Agent speaking:	Mr Steven Smallman Mr Martin Clark – Bloor Homes Mr Sean Bates – NRC Mr Max Wildsmith – Stax Mr Phil Taylor – Owner
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Ward Member(s):	Councillor Drummond Councillor Swift-Hook
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Update Information:

Officers are recommending to the Committee that the Rugby Club application on the agenda is considered first because if that application is refused, officers would then alter their recommendation for approval on Greenacres to **REFUSAL**. The change in Officers' recommendation is on the basis that there would be no replacement facility for the loss of Greenacres Leisure to the housing development. In addition there would then be no justification for the lack of affordable housing provision.

The three reasons for refusal would therefore be as follows – without prejudice.

1. There is no section 106 planning obligation, which is required to mitigate the impact the occupants of the new housing would have upon the District's facilities, services and infrastructure. Accordingly, the application is contrary to the advice in the CIL Regulations of 2010, the advice in the NPPF of 2012, policy CS5 of the West Berkshire Core Strategy 2006 to 2026, and the document 'Delivering Investment from Sustainable Development' adopted June 2013. It is thus unacceptable.

2. The application, if approved, would mean the loss of an existing and highly valued sports centre in the local community. This would be clearly contrary to the advice in paras 69 to 74 inclusive in the NPPF of 2012, and, in addition, the exception policies of Sport England in providing advice to Local Planning Authorities. Furthermore, it would be contrary to the final bullet point of policy ADPP2 in the West Berkshire Core Strategy 2006 to 2026, which seeks to retain local community facilities.

3. The applicant has not agreed to the 30% provision of affordable housing on site, in accord with policy CS6 in the West Berkshire Core Strategy 2006 to 2026, and so it is unacceptable in this respect. The proposal to have nil affordable housing provision on the site was only acceptable based on the viability of the development taking into account the requirement for an alternative sports facility on the Newbury Rugby Club grounds.

In response to an enquiry from a Member at the site visit, it has been ascertained that the original planning application on the tennis domes received three objections from local residents. The application was initially refused by the Council, but allowed at appeal in 1994.

Additional consultation response from Sport England. They have clarified their initial objection to the Council, which should remain in place, notwithstanding the linked application at the Rugby Club. This is because the new centre will not provide like for like facilities, having particular regard to squash courts. It will also not provide similar access/ management arrangements. For example in relation to tennis the new centre will have a members only system, which will/ may preclude existing members, at Greenacres.

Officer note - Whilst the ongoing objection from Sport England is clearly understood, matters of membership arrangements are outside planning control. In addition at the site visit, the management of the present Greenacres Sports Centre noted that if the applications were rejected, and Greenacres remains in place, over time it was very likely that one further squash court would be closed, for commercial reasons.

Since the Committee report was written the Council has received 15 additional letters of objection regarding the application, although many comments are effectively directed towards the linked application at the Rugby Club. Most objections correspond to the lack of three squash courts. The fact that Greenacres is a valuable local community resource is re-iterated many times, particularly the manner in which it caters for the more elderly and the disabled sports community. Increased housing will mean more demand for such facilities, which should not be closed. No need for further housing on the site. No specific objections made on the actual layout or design of the housing, and one letter concerned about the lack of affordable housing to be provided on site. Continuing concerns regarding traffic generation from the site and the adequacy of car parking on the existing site and as proposed – accuracy of submitted data is queried.

A slightly amended layout plan has been received which resolves the highways officers outstanding concerns. Conditional permission recommended.

S106 Heads of Terms.

The officers are recommending that should both applications be approved tonight, delegated authority be sought to agree Heads of Terms with the applicants regarding the s106 provisions, which will ensure that if this current application at Greenacres is implemented, there will be an appropriate trigger mechanism on the implementation of the new sports centre at the Rugby Club. In addition the applicant to pay the relevant s106 contributions as noted in the agenda report.

A comparison table of the facilities at Greenacres and the new club is noted on the update sheet for 13/02581.

The Lawn Tennis Association has commented on the application, and have noted that since current Government policy is to retain sports facilities, the loss of Greenacres would mean a loss of local players in the area. The new centre should be built and opened when Greenacres closes, the new centre should retain as a minimum the same number of courts [which it does - plus one] need to consider the employment of existing staff at Greenacres, and should planning permission be granted, the new centre should not be changed to an alternative use in the future. The LTA still objects to the present application.

It is recognised and understood that the Committee may be understandably concerned about the lack of affordable housing provision made on the site via the viability assessment undertaken.

To put this issue into context, notwithstanding the clear demand for further affordable housing in the Newbury catchment area, the Council's annual monitoring report for housing of 2013, notes that 182 affordable units were completed over the period 2012 /13 in the District, and in terms of overall commitments, there were 730 affordable houses with planning permission, over 400 of which are at the Racecourse [March 2013].

Out of 8 recent applications for housing which met the affordable housing threshold criteria in policy CS6 in the Core Strategy, two had approved viability assessments noting that nil affordable housing should be provided i.e. 25%.

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WESTERN AREA PLANNING COMMITTEE ON 19 MARCH 2014

UPDATE REPORT

Item No:	(3)	Application No:	13/02581/COMIND	Page No.	39 - 52
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Site: Newbury Rugby Football Club Ltd, Monks Lane, Newbury

Planning Officer Presenting:	Michael Butler
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Member Presenting:	N/A
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Parish Representative speaking:

Objector(s) speaking: Mr David Mundy on behalf of SOGGI Campaign Group
Trudi Pheasant – Manager Cloisters Care Home

Support(s) speaking: Mr Sean Bates

Applicant/Agent speaking: Mr Steven Smallman
Mr Max Wildsmith – Stax
Mr Sean Bates – NRC
Mr Martin Clark – Bloor Homes

Ward Member(s): Councillor Drummond
Councillor Swift-Hook

Update Information:

At the Committee site visit a request was made regarding further information on the actual increase in full time equivalent [fte] jobs from the new centre in terms of net gain in relation to Greenacres. The existing fte at Greenacres is 20 staff, and the number at the new centre will be 40 fte – net gain of 20.

Since the Committee report was written the Council has received an additional 17 letters of objection from local residents [which includes some outside the District]. All the concerns are based principally, but not wholly, around the lack of squash court provision, the lack of an appropriate viewing gallery, the concerns over the potential time lag between closure of one and opening of the other, the fact that the new centre will not be the same community hub as Greenacres, the probable increase in cost of membership. Lack of consultation with existing members of Greenacres about the new facility and what it should provide. Some do acknowledge however the better facilities in some respects at the proposed new club. An outside pool is still not needed, additional noise from pool will be harmful to local amenity.

Additional traffic arising on Monks Lane from the new centre. Unclear about the efficacy of the additional rugby clubs sports field provision in terms of quality and size.

	Existing Greenacre	Proposed Monks Lane
Total floor area (Building) m2	1600	3114
Total Number of Employees FTE	20	40
Total number of Adult Members	1100	3750
Total number of Junior members	100	1500
Total number of participants (capacity)	146	290
Total number of squash players (est)	80 -100	80-100
Health and fitness - stations	26	60
Aerobic Studios	65sqm	250sqm
Spinning studio	Nil	70sqm
Badminton courts markings	4	4
Squash and Rackets	3	2
Indoor swimming	20m - 4 lane	20m - 4 lane
Outdoor swimming	Nil	20m - 4 lane
Floodlit outdoor tennis	3	4
Indoor tennis	4	4

The table above sets out a comparison for ease of reference between the existing facilities at Greenacres, and the Rugby Club scheme.

Correction in para 5.1 of the report – ‘2’ external courts should read ‘4’ external courts.

It is recommended that Condition 1 is amended to allow for the normal 3 years start date. It is considered unreasonable of the Council to insist upon a start on site within 1 year, given the scale and complexity of the application, the need to obtain approval for all pre-conditions and so forth within 1 year of the planning permission date.

Additional highways conditions.

HIGH13 Access construction before development (details required)

No development shall take place until details of the proposed access into the site have been submitted to and approved in writing by the Local Planning Authority. As a first development operation, the vehicular, pedestrian/cycle access and associated engineering operations shall be constructed in accordance with the approved drawing(s).

Reason: To ensure that the access into the site are constructed before the approved buildings in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

HIGH12 - Parking/turning in accord with plans (YHA24)

The sports centre use shall not commence until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

S106 Heads of Terms.

The officers seek delegated authority from the Committee to agree the heads of terms for the proposed s 106 planning obligation with the applicants, should the application be approved tonight. The heads of terms will ensure that within a certain trigger date of implementation of the new sports centre, the Rugby Club be required to construct the additional pitches noted. In addition the required highways contribution of £127,000 be paid on the start of the new sports centre.

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