

**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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