Development Control – Delegated Officer Report

Application Number: AWDM/0226/12 Recommendation – APPROVE

Site: 36 & 38 Old Shoreham Road Lancing BN15 0QT

Proposal: Change of use of remainder of No's 36 and 38 from residential to a doctor's surgery (retrospective)

The Application

The site lies on the south side of the service road running alongside the A27T, on the west side of its junction with Manor Close. The neighbouring pair of bungalows No's 32 & 34 lie close by to the west but 'Rosemore', to the east, is set well back.

This pair of semi-detached bungalows was erected in 1956 and part of No.38 had become used as a doctors surgery by about 1960 (permission being unnecessary for a doctor to use part of his dwelling as a surgery under then specific Government guidance on the subject).

Alterations and 2 small extensions were permitted in 1991 which also included the partial use of No.36 (L/151/91). The rear parts of both bungalows and the side of No.36 remained in use as a single two-bedroom dwelling and was occupied by the doctor's parents, most recently his mother.

In 2004, an application was made for a temporary portable building at the front in order to provide administrative space during refurbishment. It occupied 2 parking spaces and was refused on grounds of (1) visual detriment and (2) reducing on-site parking space and increasing pressure for on-street parking (L/163/04).

Since 2005, since his mother's death, the applicant states that more of the whole premises has gradually been used for surgery purposes and that, although it remains a single principal practice, he has had a salaried doctor working with him (with her own consulting room) in recent years. The practice size list has remained stable at just under 2,000 patients.

The applicant states that for several years they have hosted base surgeries for the W Sussex Out-of-Hours service on Saturday and Sunday mornings, plus a locality surgery on Saturday mornings. More recently, they have also provided other rooms for the NHS Time to Talk service. Other rooms are used for echiocardiograms and another for the Practice Manager's office. In addition, part of No.36 is separately used (via a separate entrance door) for seeing patients on the W Sussex Excluded Patients Scheme with a separate consulting room, treatment room and waiting room. As it is separated, this could also be used if the need arose under the swine flu plan. The applicant concludes by stating that they are now using all the rooms and that there is ample medical justification for the expansion into the whole of both No's 36 and 38 and that this will remain the case for the foreseeable future.

Consultations and Representations

West Sussex County Council: Comments that on-site parking provision of 3 spaces (currently occupied by a caravan) falls well below the maximum adopted standard for D1 use. Recommends that the applicant be required to undertake a parking capacity survey to demonstrate that during surgery opening hours obstruction along Old Shoreham Road is not caused. Subject to this, no highway safety concerns would be raised but cycle parking should be required to be provided to promote sustainable travel.

Lancing Parish Council: No objection.

Third Parties: No comments received.

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH6, ACS4
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 'Housing' (DCLG 2006, amended 2010)
PPG13 'Transport' (DTLR 2001, amended 2011)
Consultation Draft National Planning Framework (DCLG 2011)

Planning Assessment

The Govt's new consultation draft National Planning Policy Framework (NPPF) states that LPAs should "*approve development proposals that accord with statutory plans without delay unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits .....decision takers at every level should assume that the default answer to development proposals is 'yes' except where this would compromise the key sustainable development principles set out in this framework*".

Dwelling loss

The relevant Adur District Local Plan saved policy states:-

"Policy AH6 - Within the built-up area planning permission will not be granted for development (including changes of use) that would lead to the loss of existing dwellings and other types of residential accommodation, especially those which are suitable for small households and households not easily able to compete in the existing housing market".

The application is contrary to policy AH6 as it has lead to loss of the dwelling unit that existed until 2005.

Need for use as a surgery

The relevant Adur District Local Plan saved policy states:-

"Policy ACS4 – The DPA will permit the development of facilities for doctors, dentists and iother health practitioners, subject to:-

(a) effect on amenity of surrounding dwellings being judged to be acceptable, and

*(b) on-site car parking arrangements and access to the public highway being acceptable under policy AT12 (*NB. not saved*)".*

The explanatory text states that they clearly provide an essential community service and the need for new or improved premises must be recognised. It is considered that this reason outweighs policy AH6 above as the value of the service provided to the community is much stronger than the value of a single dwelling unit.

Effect on neighbouring properties

Owing to the bungalows being detached from neighbours, the use itself does not give rise to any significant detriment to residential amenity through noise, disturbance or loss of privacy. The main effect is the number of patients attracted, including associated car parking which is referred to below.

Parking and access

The site has 3 parking spaces plus a garage at No.38. No.36 only has a side shared driveway with No.34. Under the adopted standard, the premises require a maximum of 11 car parking spaces.

The existing service road and adjacent Manor Close, although narrow, enable on-street parking which can usually take place without problem during normal surgery hours when there is less pressure from residents of other bungalows and their visitors. At the times of inspection, spaces were available for parking on-street in the vicinity.

The site is reasonably sustainably located for access by pedestrians and bus users, thus justifying relaxation of the maximum parking standard subject to providing on-site cycle parking provision. It is not well-located for access by car owing to being on the south side of the A27 and entailing use of the U-turn facility at Hoe Court/Withy Patch.

There is no evidence to indicate that the surgery use of the whole premises, as opposed to the partial use previously permitted, has made any material difference to highway safety or travel-related issues. The applicant points out that the total number of patients on the practice list has remained static throughout and that the extra space has been used to provide better services to patients, not to cater for more patients. Consequently, it is considered that the use is acceptable subject to limiting the number of practitioners to no more than 2 at any one time.

Recommendation

APPROVE for the reason that:-

The use of the whole premises as a doctors surgery provides an essential service to the local community which is considered to outweigh the loss of a single dwelling unit. It does not cause any significant detriment to the residential amenities of the locality or to highway safety, provided the number of practitioners is limited and on-site parking space for cars and cycles is provided. It, therefore, accords with policy ACS4 of the Adur District Local Plan and refusal is not warranted under policy AH6.

Subject to:-

1. C16Ai The premises shall be used only as a doctors surgery with ancillary facilities and for no other purpose within Use Class D1 of the Schedule to..... *R. In the interests of residential amenity and highway safety having regard to policies AG1 and ACS4 of the ADLP.*
2. No more than 2 doctors shall use the premises at any one time. *R. In the interests of residential amenity and highway safety having regard to policies AG1 and ACS4 of the ADLP.*
3. A minimum of 3 car parking spaces shall be provided on the property and they shall be kept clear for the parking of the cars of doctors and/or patients at all times during surgery opening hours. *R. In the interests of highway safety.*
4. C8Bvi (amended) Details of secure, covered parking for 4 cycles shall be submitted within one month of the date of this permission and such details as approved shall be implemented within a period of 2 months from the date of approval of the details. *R. To promote sustainable travel and discourage use of cars having regard to PPG13.*

Case Officer: Keith Morgan Date: 26 March 2012