OFFICER REPORT FOR COMMITTEE
Date: 27/03/2013

P/13/0023/VC **WARSASH**

THE WARSASH DENTAL PRACTICE

AGENT: CONSULTANT PLANNING SERVICES

VARIATION OF CONDITIONS 3 & 4 OF P/07/1217/FP TO ENABLE USE OF EXISTING DENTAL PRACTICE BY FOUR DENTAL PRACTITIONERS FROM FOUR SURGERY ROOMS AND REVISIONS TO EXISTING PARKING LAYOUT TO PROVIDE THREE STAFF PARKING SPACES TO REAR

37 WARSASH ROAD - DENTAL SURGERY WARSASH SOUTHAMPTON HANTS SO31 9HW

Report By

Alex Sebbinger (Ext 2526)

Site Description

The application site comprises a detached two storey building located on the northern side of Warsash Road. The site is located within a development boundary in a primarily residential area that is characterised by properties of different types and sizes, with some commercial premises also located in the vicinity.

The site which was formerly a dwellinghouse is used as a Dentist, and has been used so for many years, a Dentist use first taking place here upon the grant of planning permission in 1977. At the front of the property is an in/out 'carriage driveway', which along with a driveway to the side of the premises affords access and parking on site.

Description of Proposal

This application is for the variation of planning conditions 3 & 4 of planning permission reference P/07/1217/FP to extend the building, to enable the use of the dental practice by four dental practitioners from four surgery rooms. The application also looks to provide three additional staff parking spaces to the rear of the premises.

Members should note that Conditions 3 and 4 of P/07/1217/FP (erection of single storey extension to form two surgeries, disabled WC and new vehicular access) stated:

3) No vehicles shall be parked within the site other than as shown on the approved car parking layout,

REASON: In order to protect the amenities of occupiers of nearby residential properties; in accordance with Policy DG1 of the Fareham Borough Local Plan Review.

4) No more than three dental surgery rooms shall operate from the dental practice that this decision notice relates to.

REASON: In the interests of highway safety in accordance with Policies DG5 and T5 of the Fareham Borough Local Plan Review.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS5 - Transport Strategy and Infrastructure

CS17 - High Quality Design

Relevant Planning History

The site was granted planning permission (FPU/4731/6) for use of part of the former dwelling as a Dentist's in February 1977. This was subject to a condition which restricted the use of the surgery to the occupier of the property.

In February 2001 an application was made for a Lawful Development Certificate for the continued use of the premises as a Dental Surgery without complying with the condition attached to the 1977 consent. This Certificate was issued in April 2001.

P/07/1217/FP, the permission the subject of this application to vary the conditions was approved on 5th November 2007.

An application (P/10/0800/FP), for the erection of a detached dwelling to the rear of the dental practice was made in 2010. This was refused in December 2010 however was allowed on appeal in November 2011.

Representations

Two letters of representations have been received. One supports the need for the car parking spaces behind the dentist but notes they will suffer noise and disruption while it is being done. The second states that four dentists have been in operation for some time, questioning that the total of proposed spaces is inadequate, that there are three hygienists and three more admin staff, concern raised over the adequacy of the size of proposed parking spaces, the ability of vehicles to manoeuvre in the site, as well as location of bins and cycle storage and this being an overdevelopment.

Consultations

Director of Planning & Environment (Highways) - The issues of the site location and parking demand have been tested at appeal, so extension of the use to allow four surgery rooms to operate would not present a problem in regard to on-site parking. Consequently no highway objections to this proposal subject to conditions.

Planning Considerations - Key Issues

There are several sets of issues with this application:

1. Impact on neighbouring properties.
2. Impact on highway safety.

It should be noted that the principle of the use of this site for a Dentist's Practice has been long established. This application seeks to obtain permission to increase the number of dental chairs within the building from three to four. It is stated that the additional chair is to be filled by a recently qualified dental practitioner, the room being made available from existing storage within the building. No external alterations arise as a result of the works. It is therefore considered that subject to the proposed increase number of dentists not giving rise to any impacts on neighbouring amenity or highway safety (and any other relevant development control criteria) the application is, in principle, acceptable in this suburban

location.

1. IMPACT ON NEIGHBOURING PROPERTIES

The most likely impact in this respect is likely to arise from the associated trips to and from the site, as well as the provision of the additional car parking spaces to the rear of the building.

Members should be aware that when the application for the erection of a new dwelling to the rear of the site was considered, this proposed scheme provided access via the side driveway next to the eastern boundary of the site, and the plans indicated that parking for this new property would be in its front garden.

At appeal the Inspector did not consider that either the use of the side access or the area for car parking would give rise to any harm to neighbouring amenity. As this application proposes using the same access alongside the boundary, which towards the front is marked by a timber fence, and at the rear of the application building is marked with a fence and tree/bush screening, it is not considered that the proposal would give rise to any material harm to neighbouring amenity.

The provision of staff car-parking at the rear is likely to give rise to minimal activity (with staff primarily arriving of a morning and leaving of an evening). Furthermore, the new dwelling also had proposed car parking at the front of that property in a position further into the site than that proposed by this application.

On the basis of the extant permission in place, plus the fact that the proposed vehicle parking spaces are to be used by staff only, it is considered that the application would not give rise to material harm to neighbouring amenity. It would be very difficult to resist this application on these grounds in light of the fact that scrutiny of a similar access/parking layout on appeal for a development which may potentially give rise to a greater impact has been undertaken and subsequently permitted.

2. IMPACT ON HIGHWAY SAFETY

This application proposes three additional car-parking spaces to the rear of the premises, but also to revise the vehicle access and front car-parking arrangements so that they reflect what was laid out at the time of the 2010 application allowed on appeal.

At the time of considering the appeal, the Inspector concluded that the revised entrance/access arrangements represented an improvement in sight lines, and would reduce the possibility of internal conflict between vehicles within the site. The Inspector accepted that there may be occasions where some larger vehicles might have to undertake some extra manoeuvres due to shortcomings in the amount of space, however this was not considered an issue as it would have been so infrequent, as well as due to the fact there is ample on-street car parking available in the surrounding area. The Inspector concluded that there would not be any highway safety issues.

Concern has been raised regarding the number of practitioners on these premises, which has been brought to the attention of the applicant. They have replied that in respect of the number of names displayed at the front of the practice, two are currently not working there (one being the applicant's wife being on maternity leave, with the other taking a year out of work), with two more only working one day each week. The practice has three other

practitioners that work between three and four days a week each.

Highway Officers have been consulted on the application and raise no objections to the application subject to conditions regarding sight lines, the provision of the access as laid out and the provision of bicycle parking. It is therefore considered that whilst this application would give rise to an increase in the number of vehicle movements to and from the site, the revised access and increased provision of parking raises no fundamental highway safety issues. In the light of the 2011 appeal decision, which agreed the principles of intensified use of this site it is considered that resisting this application on highway grounds would be very difficult to substantiate on appeal.

Reasons For Granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out above. The increase to four dentist's chairs will not give rise to situations prejudicial to highway safety or neighbouring amenity, and the provision of three staff car parking spaces to the rear of the property would not give rise to any undue impacts on neighbouring amenity, particularly in the light that the northern portion of the site has an extant permission for a dwelling (which would give rise to potentially far greater a level of activity). Other material considerations including the representations made have been carefully considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Recommendation

PERMISSION, reimposing all conditions originally attached to planning permission P/07/1217/FP which have been discharged and remain in force, with the exception of condition 4 of that consent being revised to the following:

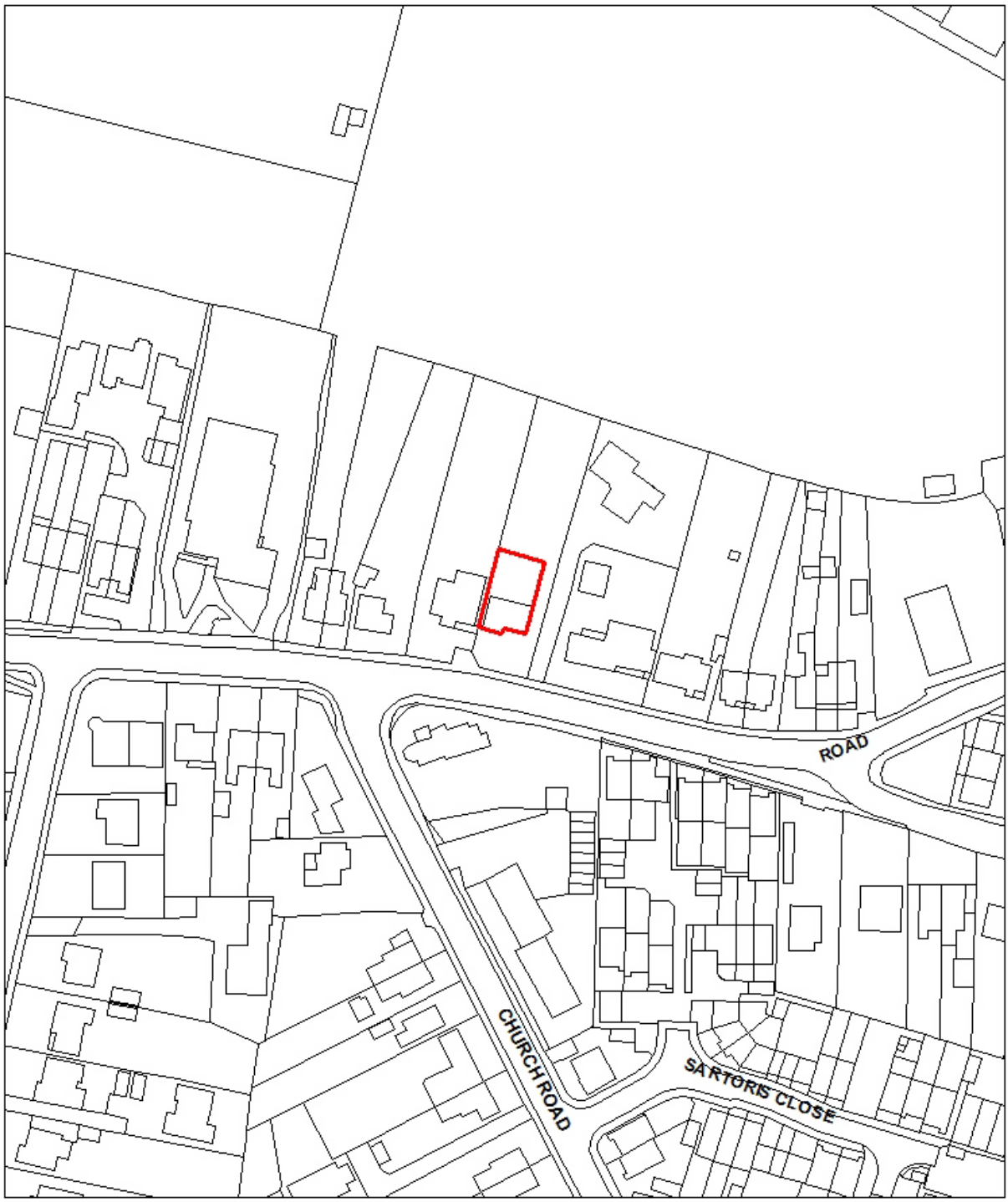
No more than four dental surgery rooms shall operate from the dental practice that this decision notice relates to.
REASON: In the interests of highway safety in accordance with Policy CS5 of the Fareham Borough Core Strategy.

And the addition of conditions covering the access, delivery of the car-parking spaces and ensuring they are retained, ensuring the spaces to the rear of the building are used only by staff and provision of cycle parking within the site and ensuring site lines (to the standard as set out by the Inspector on the 2011 appeal decision) are provided.

Background Papers

P/13/0023/VC
P/07/1217/FP

FAREHAM
BOROUGH COUNCIL



37 Warsash Road
Scale 1:2500

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100019110. 2013

N
W E
S