

Reference: 10/00680/COU
Date Submitted: 03.09.10
Applicant: Mr Furquan Ishak
Location: 12 Albert Street, Bottesford, NG13 0AJ
Proposal: Change of use from dwelling to Class D1 for a dental surgery including structural alterations

Introduction:-

The application seeks full planning permission for the change of use of a dwelling to a dentist situated within the village envelope for Bottesford.

The dwelling sits gable end on to the highway with the dwelling running into the site with a conservatory to the rear. The dwelling is a new construction which has not been occupied, although marketed for sale as residential. The surrounding area is predominantly residential with the scout hut to the north of the site of a similar size to the dwelling. Access to the site is off Albert Street which is not a classified road. Following amendments, the application proposed 2 treatment rooms and 5 parking spaces; 3 for staff and 2 for patients.

It is considered that the main issues relating to the proposal are:

- **Principle of the change of use of the building**
- **Access and parking**
- **Impact upon residential amenities**
- **Sustainable Development**

The application is presented to Committee due to level of objections to the proposal.

Relevant History:-

05/00683/OUT Outline planning permission was granted for a single storey dwelling on 1st September 2006.

06/00488/FUL Full planning permission was granted subject to conditions on the 19th July 2006.

06/00229/FUL Refusal for the erection of 3 bedroom bungalow and garage.

07/00424/FUL Full planning permission granted for a revised house type, to include the conservatory to the rear on the 12th June 2007.

Melton Local Plan (saved policies):

PPS 1 ‘Delivering Sustainable Development’ - The guidance says that planning should promote sustainable and inclusive patterns of development. A key principle involves the need to reduce the need to travel by car and to identify land for development in locations where there is, or the potential for, a realistic choice of access by means other than the private car. The Government is committed to promoting a strong, stable, and productive economy that aims to bring jobs and prosperity for all. Planning authorities should ensure that suitable locations are available for industrial, commercial, retail, public sector (e.g. health and education) tourism and leisure developments, so that the economy can prosper.

PPS4 ‘Planning for Sustainable Economic Growth’ – The guidance states that local planning authorities should adopt a positive and constructive approach towards planning applications for economic development including rural areas. Planning applications that secure sustainable economic growth should be treated favourably.

PPG 13 ‘Transport’ - A main objective seeks to reduce the need to travel, especially by car. With regard to rural areas, the guidance makes clear that jobs, shopping, leisure facilities and services are primarily sited at the most accessible locations in the local area. In determining the appropriate strategy for employment in rural areas, the guidance says that it is important to consider the scale, impact and likely catchment area of development, and that the larger the number of staff employed on site, the greater the need to ensure the development is accessible by public transport, walking and cycling.

East Midlands Regional Plan

Policy 1 – Regional Core Objectives – to secure the delivery of sustainable development within the East Midlands which includes a core objective to ensure that development address the need and choice in all communities in the region. There is an aspiration to improve the health and mental, physical and spiritual well being of the Region’s residents through improvements in: access to health, cultural, leisure an recreation facilities and services.

Policy 3 – relates to the distribution of new development and states that development in rural areas should;

- maintain the distinctive character and vitality of rural communities;
- shortening journeys and facilitating access to jobs and services;
- strengthening rural enterprise and linkages between settlements and their hinterlands; and
- respecting the quality of the tranquillity, where that is recognised in planning documents

In assessing the suitability of sites for development priority is given to making best use of previously developed and vacant land or under-used buildings in urban or other sustainable locations.

Policy 48 – Regional Car Parking Standards – states that Local Planning Authorities should apply the maximum amounts of vehicle parking for new development as set out in PPG13.

Melton Local Plan (Saved Polices)

Policies OS1 and BE1 allow for development within Village Envelopes providing that:-

- the form, character and appearance of the settlement is not adversely affected;
- the form, size, scale, mass, materials and architectural detailing of the development is in keeping with its locality;
- the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity; and,
- satisfactory access and parking provision can be made available.

Melton LDF Core Strategy: considers Bottesford Village to be a sustainable location therefore categorised as a service centre with a good range of facilities and employment. The Preferred Options of the Core Strategy therefore supports development in this location.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Highway Authority - No objection</p> <p>Albert Street is an unclassified road and not particularly heavily trafficked, it would be difficult to justify a highway reason for refusal</p>	<p>Access to the site is via an existing access to the dwelling. It is proposed to provide 5 parking spaces within the site; two to the rear for staff and three to the front for visitors. The highways Officer is not objecting to the change of use given</p>

on that basis.	that Albert street is an unclassified road where on street parking is permitted.
<p>Bottesford Parish Council -</p> <p>Concerns about parking issues on Albert Street too narrow for parking on both sides, very close to 2 busy junctions. A green survey should be carried out. A dentist in the village would be a great asset. Based on a majority vote the Council oppose the application as it stands.</p>	<p>The applicant has submitted a travel plan to support the proposal in terms of traffic generation and amended the layout plan, reducing the number of treatment rooms in order to address concerns relating to possible parking problems.</p> <p>The Parish Council has commented on the additional information which has not alleviated their concerns in regards to highway issues but agrees that the facility would be an asset to the village.</p>

Representations:

Neighbouring properties were consulted regarding the proposal. As a result 7 letters of objection has been received. Following representations additional information was submitted and further consultations were undertaken. No further correspondence has been received to date

Representation	Assessment of Head of Regulatory Services
<p>Character of the Area:</p> <ul style="list-style-type: none"> • Change of use/out of keeping with the surrounding area. Albert Street is currently a residential street, with no commercial properties. To allow a change of User Class to D1 would be setting a precedent. • This site is outside the core commercial area for the village and should remain as residential. • The existing pharmacy was denied an access on to Albert Street and therefore has an access of Walford Road. (00/0808/VAC) 	<p>Albert Street is predominantly residential with agricultural uses at the end of the road and community facilities next to the site. To the rear of the site is a doctors surgery, chemist and public car park. The site lies within the village envelope and in close proximity to the village retail core. Policy OS1 allows development within the village envelope providing that the character of the area is not affected. There are limited changes to the external appearance of the building. The dwelling is gable end on to the street and currently has the garage door and window facing the street. The garage door is to be replaced with a window as this will serve as the reception waiting room. No other external changes are proposed so it is considered that there will not be a detrimental impact upon the character of the area.</p>
<p>Highways Safety:</p> <ul style="list-style-type: none"> • Lack of parking for the facility. This will lead to parking on the road. • Existing residents on Albert Street have to park on the road as they have no off street parking provisions. Manoeuvring along the street can be difficult, particularly during surgery hours, and an increase in the number of parked cars would only exacerbate matters. • The existing public car park is already full due to the doctor's surgery using it for staff parking. The streets are used as overflow parking. This proposal will add to that congestion. • Additional parking along Albert street could cause obstruction for emergency vehicles which could impact upon life or 	<p>The applicant has provided a green travel plan and amended the number of treatment rooms available from 3 to 2. This decision was considered appropriate by the applicant to directly reduce the number of potential customers that will be attending the surgery and hopefully alleviate the residents concerns regarding parking. It is the intention to have one dental practitioner and a maximum of 3 employees, one to be employed from Bottesford where practicable.</p> <p>The parking concerns of the residents would be managed by the establishment who will provide an information pack to customers with a plan indentifying the car parking arrangements and location of overspill car park options and to actively discourage parking within the highways. Travel packs are to be issued to staff and patients advising of the alternative modes of transport to the site, including bus timetables. Car sharing will be encouraged and family appointments made available to reduce the need for single car</p>

<p>death situation.</p> <ul style="list-style-type: none"> • Danger to the users of the Scout Hut with more cars coming and going from the site and parking on the street. • More parked cars on Albert Street could lead to a lack of vision problem for motorists at the Church View and Albert Street junction. • It can be presumed that all patients will come from Bottesford and therefore walk to the facility. Some patients may be from neighbouring villages where the bus routes are not frequent which will lead to visitors using their cars. • Fear for pedestrian safety if visitors where to park and reverse out. 	<p>occupancy trips.</p> <p>The highways authority is not objecting to the change of use application given that Albert Street is not a classified road and there are no parking restrictions. The proposal seeks to provide 5 on site parking spaces and there is a public car park within 100 metres of the site. A highways refusal could not be supported in this location.</p>
<p>Impact upon residential amenities:</p> <ul style="list-style-type: none"> • There will be an increase in noise from visitors to the site using cars. 	<p>The area is predominantly residential with a farm situated at the end of Albert Street. Immediately to the north of the site is the scout's hut which is used by various community groups in the evenings and weekends. It is intended to initially operate the facility on a part time basis until a client base is established. There are over 3,000 residents in Bottesford and it is envisaged that a large portion of the clients will be from the local area where walking and cycling will be encouraged.</p> <p>The site currently consists of a residential three bedroom dwelling which could be occupied as a House of Multiple Occupancy (HMO) without the benefit of planning consent. In that regards the comings and goings could be increased and the objection based on the increase in cars would not be worsened should this application be approved, subject to the implementation of a travel pack for users.</p>

Other considerations not raised through representation.

Consideration	Assessment of Head of Regulatory Services
<p>Application of Development Plan and other planning policy.</p> <p>The proposed dwelling is located with the village envelope for Bottesford where there is a presumption in favour of development under the local plan created by Policy OS1.</p>	<p>The site is located with the village envelope for Bottesford and is within close proximity to the village centre. The application proposes to use the dwelling, as a dental practice to serve the local community. It is proposed to alter the internal layout of the dwelling to provide 2 treatment rooms, waiting room/reception, staff room, sterilisation room, storage and wc's for staff and patients use. The principle of the development is supported with regards to the use within a</p>

<p>PPS1 strongly supports the location of development within existing settlements and requires local authorities to deliver development that is located in areas which reduce the need to travel by car and provide access to all members of the community to jobs, health, housing, education, shops, leisure, and community facilities. The guidance supports development that reduces energy emissions and climate change but the emphasis is on locations which reduces the need to travel by private car.</p> <p>PPS4 reflects the advice in PPS1 but supports economic development closely related to towns or villages, where the benefits outweigh the harm in terms of:</p> <ul style="list-style-type: none"> • local economic and social needs and opportunities. • settlement patterns and the level of accessibility to service centres, markets and housing. 	<p>category 1 village.</p> <p>The site lies in close proximity to the main village centre. The village is served by a regular public bus service and there is a train station within a miles walk of the site. The site is considered to be in a sustainable location, defined as a service centre through the formulation of the LDF Core Strategy. The location complies with the principles of PPS1.</p> <p>It is the intention to have one dental practitioner and a maximum of 3 employees, one to be employed from Bottesford where practicable. The client base is intended to serve Bottesford and the surrounding villages; currently the nearest dental practice is in Bingham. The site being situated close to the core commercial centre of the village is within easy walking distance and for those that choice to travel by car there is a free public car park to the rear of the site. In this respect the proposal performs strongly against the objectives of PPS1 by reducing the travel distances associated with receiving dental treatment.</p> <p>A dental practise in Bottesford would complement the existing services in the village and would offer health services which are not currently present. The site is accessible by other modes of transport and customers would have a choice of transportation.</p> <p>The parking concerns from the residents would be managed by the establishment who will provide an information pack to customers with a plan indentifying the car parking arrangements and location of overspill car park options and to actively discourage parking within the highways. Travel packs will be offered to all users of the facility to encourage sustainable modes of transport. This could be controlled through the imposing of conditions.</p>
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Conclusion

The application seeks to change the use of a vacant modern residential dwelling to a Dental practise to serve Bottesford and surrounding villages. The applicant has demonstrated the desire to co-exist with the existing residents along Albert Street and promote sustainable modes of transport options and to discourage on street parking within the area. Bottesford is a ‘service centre’ for the borough and the addition of a dental practice will bring social benefits to the whole village which are considered to outweigh the potential harm caused to residents within close proximity to the application site if users were to park along an unrestricted highway, which they can do now in any event. It is considered that the application complies with the development plan and there are no material considerations present which makes this proposal unacceptable. Accordingly the proposal is recommended for approval.

RECOMMENDATION: Permit

1. The development shall be begun before the expiration of three years from the date of this permission.
2. All external materials used in the development hereby permitted shall be of the same type, texture and colour as those used in the existing building.
3. The proposed development shall be carried out strictly in accordance with the amended plans drawing nos. 1676(20)001 rev A deposited with the Local Planning Authority 6th October 2010.
4. Prior to first use of the development the parking provisions shall be provided on site in accordance with the details submitted on drawing no. 1676(20)002 rev A. These parking spaces shall then be hard surfaced and made available for use and shall thereafter be permanently so maintained.

The reasons for the conditions are:-

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. To ensure a satisfactory standard of external appearance.
3. For the avoidance of doubt; the initial proposals being considered unsatisfactory.
4. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area.

Officer to contact: **Mrs Denise Knipe**

12th November 2010