

APPLICATION NO PA/2012/0064

APPLICANT Dr Kennedy & Partners

DEVELOPMENT Planning permission to erect an extension to an existing surgery

LOCATION 291 Ashby Road, Scunthorpe

PARISH SCUNTHORPE

WARD Kingsway and Lincoln Gardens

CASE OFFICER Graeme Moore

SUMMARY RECOMMENDATION Grant permission subject to conditions

REASONS FOR REFERENCE TO COMMITTEE Member 'call in' (Councillor Gosling – significant public interest)

POLICIES

North Lincolnshire Local Plan

Policy DS1 (General Requirements)

CONSULTATIONS

Highways: Advise conditions.

Environmental Health: Advise conditions.

PUBLICITY

Neighbouring properties have been notified by letter. To date, seven letters of objection and five letters of support have been received. The letters of objection raise the following material considerations:

- The expansion of the surgery will have a negative impact upon the living conditions of adjacent residents.
- There will be an unacceptable increase in the level of on-street car parking which has impacted upon neighbouring residential properties being able to access and egress their private drives.
- There is no need for a 100-hour surgery in what is a residential area.

The letters of support primarily support the establishment of a 100-hour pharmacy at the surgery.

ASSESSMENT

Planning permission is sought for a rear extension to the existing surgery and the establishment of a pharmacy at 291 Ashby Road, Scunthorpe. The property is a converted residential property and is one in a line of properties on Ashby Road. Ashby Road itself is characterised by modest semi-detached properties in a relatively formal linear formation which lends itself to creating a strong street scene.

The main issue to consider in the determination of this application is whether or not the proposed extension and creation of a pharmacy would be detrimental to the amenity of the surrounding residential properties.

The works to the surgery involve a 16 metre rear extension to provide additional treatment rooms, whilst extending the car park to the rear and the creation of a pharmacy to the front of the surgery. The proposed extensions to the building would have no detrimental impact on the amenity of neighbouring residential properties due to its siting and design. Whilst it could be construed that the extension to the car park could have a detrimental impact, it is considered that, subject to conditions, this impact could be satisfactorily mitigated. The existing boundary treatment is in need of repair, and it is considered that a landscaping scheme and the provision of a new boundary fence would successfully mitigate the impact of the car park on existing residential properties.

The applicants have stated that it is their intention to open the pharmacy between the hours of 7am and 10pm on a weekday and between 10am and 8pm on Sundays and Bank Holidays. The proposal is located in what is essentially a residential area and therefore consideration should be given to whether or not the proposed opening hours would be harmful to the amenity of adjacent properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

The existing surgery is open between the hours of 8.30am and 6.30pm on a weekday and is closed at the weekend and on Bank Holidays. To date there has been no persuasive argument put forward by the applicants to assuage any concerns that the council has in relation to the opening hours. The applicants have stated that there is a contractual requirement to open 100 hours a week in accordance with Government regulations. However, the proposed opening hours amount to only 80 hours a week. When taking into account the pharmacy's location and proximity to residential properties it is considered pertinent to restrict the times at which it can open. In this case, it is recommended that the pharmacy be open between the hours of 7am to 7pm on a weekday and Saturday, whilst on Sundays hours would be restricted to 9am to 7pm, in order to protect the amenity of adjacent residential properties.

Subject to these conditions, it is recommended for approval in accordance with policy DS1 of the North Lincolnshire Local Plan.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: DK/S/100/01, DK/S/100/02 and DK/S/100/03.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

The proposed development shall not be brought into use until additional parking has been provided in accordance with the details contained within the application.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

4.

Hours of working for the construction of the proposed extension shall be restricted to 7.30am to 6pm Monday to Friday and 8am to 1pm on Saturday. There shall be no working on Sundays or Public/Bank Holidays.

Reason

To avoid the unacceptable loss of amenity to nearby premises through noise, in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.

Hours of opening for the pharmacy shall be restricted to 7am to 7pm Monday to Saturday and 9am to 7pm on Sundays and Public/Bank Holidays.

Reason

To avoid the unacceptable loss of amenity to nearby premises, in accordance with policy DS1 of the North Lincolnshire Local Plan.

6.

Before any development commences on site, details shall be submitted to the local planning authority in writing of a new boundary fence to the rear of the premises as shown on the attached plan (points A to B). The approved fencing shall be erected before the extended car park is brought into use.

Reason

To protect the amenity and security of adjoining properties, in accordance with policy DS1 of the North Lincolnshire Local Plan.

7.

Notwithstanding the uses allowed under Class A1 of the Use Classes Order, the pharmacy shall be limited to selling the following goods in addition to prescription and over-the-counter goods:

- male/female urine bottles
- dressings, strappings and supports

- blood pressure monitors
- weighing scales
- TENS machines
- vitamins, minerals and supplements
- blood glucose testing machines
- other such like ancillary items.

Reason

To comply with the terms of the application, to control the use of the building and to ensure the property is not established as a separate retail entity.

8.

No development shall take place until proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

Reason

To enhance the appearance of the development in the interests of amenity.

9.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To enhance the appearance of the development in the interests of amenity.

Reasons for approval

The council, as local planning authority, has had regard to the relevant policies of the development plan as set out below and considers that, subject to compliance with the conditions attached to the permission, the proposed development would be in accordance with the development plan, would not materially harm the character of the area nor the living conditions of neighbouring occupiers, and would be acceptable in all other planning considerations. The council has taken into account all other matters, none of which outweigh the considerations that have led to its decision. The relevant policy taken into account when determining this application is: DS1 of the North Lincolnshire Local Plan.



Application site showing position of proposed fence

Drawing Title: 2012/0064

OS Grid Ref: SE89120909

Drawn by: KC

Scale: 1:1250

Date: 23/03/2012



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