

Location: 161 Banks Road West Kirby Wirral CH48 3HU

Proposal: Change of use from residential accommodation to doctors surgery

Applicant: Dr N M Alam

Park Medical Centre
2 Park Road
West Kirby
Wirral
CH48 4DW

Agent: Mr Geoff Bryson

Bryson Projects Limited
248 Price Street
Birkenhead
Wirral
CH41 3PS

Development Plan allocation and policies: Development Plan allocations and policies: Primarily Residential Area
Policy HS15 - Non Residential Uses in Primarily Residential Areas
SPD4 - Parking Standards
PPG4 - Industrial and Commercial Development and Small Firms.

Planning History: None.

Representations and consultations received: Representations:

A total of 8 letters of notification have been sent to properties in the area. At the time of writing this report a qualifying petition of 30 signatures and 8 individual letters of objection have been received, listing the following grounds:

- Inadequate parking facilities for staff and patients which would increase on street parking in an already busy and congested area due to the number of flats in the area, the public house and the sailing club;
- Highway safety;
- Noise;
- Short period of time to object over the Christmas period;
- Devaluation of property;
- Lack of insulation or sound proofing between properties;
- The rear garden being used as recreation or leisure space by staff, generating noise and resulting in loss of privacy;
- How can this application be approved when an application for a domestic garage was refused?;
- Biological risk:
- Security issues with drugs and equipment being a target for criminals;
- There are other properties that would be better suited;
- Application forms state no trees will be removed however this is untrue, there are 4 trees to be removed to make parking spaces possible;
- Opening hours are not mentioned.

One letter of support was received welcoming the new surgery which would have a wider range of services and improved facilities for wheelchair access.

The owner of 161 Banks Road also supported the proposal and make the following comments:

- There are ample unused car parking spaces outside the house;
- Visitors parking will be for short periods of time;
- The majority will walk or travel by bus;
- Parking on Hydro Avenue is unlikely to be affected. Many residents will return after the evening surgery has closed. Any issues would best be met by standard highway parking controls.

Consultations:

Director of Regeneration - Housing & Environmental Protection Division: No objection.

Director of Technical Services - Traffic Management Division: No objection subject to a Section 106 agreement.

Merseytravel requested a Travel Plan.

Directors comments:

PROPOSAL

Change of use from residential accommodation to doctors' surgery. There are no external changes to the building and three parking spaces to the front. The proposal is to be relocated 515m from its existing position in a residential area (2 Park Road West Kirby). There will be 12 staff working at the surgery. The daily patient appointments are approximately 34 per doctor and 15 per practice nurse.

PRINCIPLE OF DEVELOPMENT

The proposal is sited within a Primarily Residential Area and is considered to be of a scale and use that is appropriate to surrounding residential properties, and will not result in a detrimental change in the character of the area by causing nuisance to neighbouring uses, particularly in respect of noise and disturbance, on street parking and deliveries by vehicles. The proposal complies with the parking standards set out in policy SPD4. As such the proposal complies with policy HS15 and SPD4, and is recommended for approval.

SITE AND SURROUNDINGS

The site is a mid-terrace residential property, located on land designated as Primarily Residential Area in the Unitary Development Plan. The surrounding buildings are predominantly residential. The other commercial uses in the immediate locality include a dental surgery 100m north of Banks Road, a Public House to the north-west, and a sailing club 160m to the south. The site is 230m from West Kirby Key Town Centre.

POLICY CONTEXT

PPG4 Industrial and Commercial Development and Small Firms encourages businesses in residential areas which do not cause unacceptable disturbance through increased traffic, noise, pollution or other adverse effects. Individual planning decisions depend on such factors as the scale of the development, the nature of the use of the site and its location. Planning objections can include noise, smell, safety, health or excessive traffic generation. The fact that an activity differs from the predominant land use in any locality is not a sufficient reason, in itself, for refusing planning permission.

In terms of Unitary Development Plan Policy HS15 Non Residential Uses in Primarily Residential Areas states any development within a Primarily Residential Area must be of a scale that is appropriate to surrounding development, will not result in a detrimental change in the character of the area and will not cause nuisance to neighbouring uses, particularly in respect of noise and disturbance, on street parking and deliveries by vehicle.

SPD4 Parking Standards states the maximum allowance of car parking for medical or health facilities should be 1 space per 2 staff plus 4 per consulting room.

APPEARANCE AND AMENITY ISSUES

Under HS15 proposals for change of use are tested for their effect on residential amenity and traffic conditions. The change of use from a dwellinghouse to a surgery will result in the loss of a residential unit, however West Kirby demonstrates a varied and buoyant housing stock, and as such the loss is not deemed detrimental.

The proposal is to be relocated 515m from its existing position in a residential area (2 Park Road West Kirby) and the patient size list will remain at approximately 4100

patients. The purpose of the relocation is to provide enhanced services in line with guidelines set out in the General Medical Services (GMS) contract. There is one full time doctor and 2 part time (job share). There are also 2 nurses who job share along with the administration staff. As such there will be a maximum of 4 medical staff working at any one time. The applicant has confirmed the daily patient appointments are approximately 34 per doctor and 15 per practice nurse.

Whilst it is recognised the proposal will result in an increase in activity in the locality, it is not considered to be at a scale that would be detrimental to the character or amenity of the area. The use and hours of the business can be controlled by conditions. Director of Regeneration (Housing & Environmental Protection Division) were consulted in respect of noise and disturbance and had no objection to the proposal. It is not considered the space to the rear of the property would be used any more heavily than by an occupying family. The proposal is not considered to cause a significant nuisance to neighbouring properties or result in a loss of amenity.

Objections that cannot form a reason for refusal include devaluation of property or the refusal of neighbours planning applications. Alternative locations recommended by residents cannot form a planning consideration. All adjoining neighbours were correctly notified by letter and given the statutory 21 days to comment. There was no requirement to display a site notice in this instance. The proposal is not considered to result in a significant increase in crime.

Wirral PCT have confirmed they support the proposal which will provide improved facilities for staff and services.

HIGHWAY/TRAFFIC IMPLICATIONS

The majority of objections received set out lack of parking as their prime concern, which they considered would add to existing congestion problems on Banks Road and neighbouring roads. Policy SPD4 Parking Standards sets out maximum levels of parking provision for change of use proposals. Its objective is to reduce the need to travel by private car and promote the use of public and other means of transport. SPD4 states the maximum allowance of car parking for medical or health facilities should be 1 space per 2 staff plus 4 per consulting room. The minimum standards are 1 space for disabled people. The proposal provides three parking spaces, one of which is reserved for disabled persons. As such the proposal complies with these standards.

As the surgery serves the local community and has a 2 mile radius, reducing the amount of parking will encourage other means of transport. A condition to provide cycle parking will further encourage sustainable means of transport. A condition that requires the developer to formulate a Travel Plan to effectively promote the use of sustainable modes of transport to all subsequent employees and users of the development.

The Director of Technical Services (Traffic Management Division) commented the change of use to a surgery is likely to generate some additional on street parking in Banks Road and Hydro Avenue. The location of the surgery close to the junction is likely to result in parking close to the junction. To mitigate this a Section 106 agreement will be required to initiate a traffic regulation order procedure within 6 months of the surgery opening.

As such, before development commences a Section 106 agreement is required for the applicant to contribute £2000 to initiate a traffic regulation order procedure to restrict parking at the junction of Banks Road/Hydro Avenue should it become necessary within 6 months of the surgery opening. This money to be otherwise used at the discretion of the Director of Technical Services for the improvement of sustainable transport facilities in the local area should a traffic regulation order not be necessary.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The removal of trees on site is not considered sufficiently detrimental to recommend refusal. There are no environmental/sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is not considered to significantly affect the character of the Primarily Residential Area. The proposal complies with relevant Council policy HS15 Non Residential Uses in Primarily Residential Areas of the adopted Wirral Unitary Development Plan and SPD4 Parking Standards.

SUMMARY OF DECISION

The proposal is not considered to significantly affect the character of the Primarily Residential Area. The proposal complies with relevant Council policy HS15 Non Residential Uses in Primarily Residential Areas of the adopted Wirral Unitary Development Plan and SPD4 Parking Standards.

Recommendation: Approve subject to a Section 106 Legal Agreement

Condition(s):

- 1 Full planning permission: standard commencement date. (C03A)
- 2 The premises shall be closed for the development hereby permitted between 18.30 hours and 08.00 hours Monday to Friday, 1130 hours 0900 hours Saturdays, and shall remain closed on Sundays.
- 3 Restrict use to a doctor's surgery Class D1. (C06A)
- 4 Cycle parking stands shall be provided in accordance with details to be submitted and approved in writing with the Local Planning Authority. Such agreed stands shall be retained thereafter.
- 5 A Full Travel Plan shall be submitted to and approved in writing by the local planning authority within 6 months of the first occupation of the development hereby permitted. The provisions of the Travel Plan shall be implemented and operated in accordance with the programme for as long as the development is occupied and shall not be varied other than through agreement with the local planning authority.
For the avoidance of doubt, such a plan shall include:
 - Access to the site by staff
 - Information on existing transport services to the site and staff travel patterns;
 - Travel Plan principles including measures to promote and facilitate more sustainable transport;
 - Realistic targets for modal shift or split;
 - Identification of a Travel Plan co-ordinator and the establishment of a travel plan steering group;
 - Measures and resource allocation to promote the Travel Plan; and
 - Mechanisms for monitoring and reviewing the Travel Plan, including the submission of an annual review and action plan to the local planning authority.
- 6 The development hereby permitted is for no more than two doctors and two nurses working at any one time
- 7 The development hereby permitted shall operate in accordance with the floor layout as shown on drawing no. DR/2008/091/001 revision 2 (received 18/03/2009).
- 8 Development according to plans received on 18th March 2009. (C24C)

Reason for conditions

- 1 Standard (CR86)
- 2 To protect amenity. Policy HS15 of the UDP (CR72)
- 3 Maintain character of area. (CR05)
- 4 To facilitate a sustainable means of transport.

- 5 To facilitate a sustainable means of transport.
- 6 In the interest of residential amenity.
- 7 In the interest of residential amenity.
- 8 For the avoidance of doubt. (CR33)

Last Comments By: 01 January 2009

56 Day Expires On: 27 January 2009

Case Officer: Miss S Hesketh

Notes:

Informative:

Before development commences a Section 106 agreement is required for the applicant to contribute £2000 to initiate a traffic regulation order procedure to restrict parking at the junction of Banks Road/Hydo Avenue should it become necessary within 6 months of the surgery opening. This money is to be otherwise used at the discretion of the Director of Technical Services for the improvement of sustainable transport facilities in the local area should a traffic regulation order not be necessary.