

PLANNING APPLICATION NUMBER:P09/0012

Type of approval sought	Full Planning Permission
Ward	QUARRY BANK & DUDLEY WOOD
Applicant	Mrs. Townsend
Location:	DOCTORS SURGERY, 10, QUARRY ROAD, NETHERTON, DUDLEY, DY2 0EF
Proposal	EXTENSION AND CHANGE OF USE OF ATTACHED GARAGE TO THE EXISTING SURGERY TO FORM A PHARMACY.
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

1. The application relates to an existing doctors surgery constructed in the early 1950's, the property has been extended by way of a single storey addition. The main entrance to the surgery is to the front elevation and there is off-street parking located to both the frontage and at the rear through a gated driveway. A flat roof garage, which is almost double in width, is attached to the side.
2. The site is located within a frontage of residential dwellings constructed between the 1930's and 1950's, on the opposite side of the road, properties are more uniform dating from the inter-war period.
3. There is a drive to the west of the application site, which gives access to 6 Quarry Road located at the rear of the site. This road also leads to dwellings located within the Mushroom Green Conservation Area.

PROPOSAL

4. The application proposes the extension of the garage at the rear, and converting this into a separate dispensary pharmacy.
5. The extension would measure 5.9m deep by 5.6m wide and 2.9m high.

6. The garage doors would be replaced with a new shop front. The pharmacy would comprise of a retail area with counter/reception, a small interview room, with the majority of the extension utilised for drugs storage and preparation of dispensed drugs.
7. The parking to the frontage would remain as existing. A prefabricated garage, old greenhouse base and walls to the rear would be demolished.
8. This would allow a total of 10 parking spaces to be formally marked out across the site. This includes 1 disabled space and 1 operational bay.

HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
P07/1938	ERECTION OF 1 NO FOUR BEDROOM DETACHED DWELLING	Refused	29/11/2007
P07/0152	ERECTION OF A FOUR BEDROOMED DETACHED DWELLING (OUTLINE) (LAYOUT AND ACCESS TO BE CONSIDERED) (RESUBMISSION OF REFUSED APPLICATION P06/1420).	Refused	19/03/2007
P06/1420	ERECTION OF A PAIR OF SEMI DETACHED HOUSES (OUTLINE) (SITING AND ACCESS TO BE CONSIDERED WITH ALL OTHER MATTERS RESERVED FOR SUBSEQUENT APPROVAL).	Refused	07/09/2006
P02/2053	SINGLE STOREY REAR EXTENSION TO INCREASE FLOOR SPACE OF DOCTORS SURGERY AND DISABLED W.C.	Approved with Conditions	20/12/2002
P02/2153	DEMOLITION OF EXISTING GARAGE AND ERECTION OF FOUR BEDROOM DETACHED DWELLING	Withdrawn	20/12/2002
97/50365	SINGLE STOREY EXTENSION.	Approved with Conditions	29/04/1997
87/51846	CHANGE OF USE FROM EXISTING SURGERY AND	Approved with	07/01/1988

	RESIDENTIAL TO SURGERY ONLY.	Conditions	
--	---------------------------------	------------	--

9. As can be seen above, there have been several failed attempts to erect a dwellinghouse on the application site, the most recent application was refused on the following grounds;

- *The proposed development would result in a loss of existing garage and parking areas available to the Doctors Surgery at no. 10 Quarry Road, thus displacing vehicles onto the public highway. As such the proposed development would be detrimental to pedestrian and highway safety contrary to policies AM14, DD1, DD4 and H3 of the adopted Dudley UDP (2005).*
- *The siting, height and mass of the proposed dwelling adjoining the side access driveway that services residential properties and acts as a gateway for the Mushroom Green Conservation Area, would adversely impact on the approach to and setting of the Conservation Area. As such the proposed development would be contrary to policies DD1, DD4, H3 and He4 of the adopted Dudley Unitary Development Plan (2005).*

PUBLIC CONSULTATION

10. Direct notification was carried out to all adjoining and adjacent premises as a result of which no letters of objection have been received.

OTHER CONSULTATION

11. The Head of Environmental Health and Trading Standards: raises no objection.
 12. The Group Engineer, Development: raises no objection.

RELEVANT PLANNING POLICY

13. Adopted UDP (2005)

Policy DD4 – Development in Residential Areas

Policy DD6 – Access and Transport Infrastructure

Policy DD7 – Planning Obligations

14. Supplementary Planning Documents

Parking Standards and Travel Plans

Planning Obligations

ASSESSMENT

15. The key issues in determination of this application are the impact upon;

- Character and appearance of the area
- Residential amenities of nearby occupiers
- Highway safety, and
- whether provision is made for a contribution toward Highway Infrastructure Improvements

Impact upon character and appearance of the area

16. Policy DD4 suggests that non-residential development will be allowed where amongst other things, there would be no adverse impact upon the character of the area; the scale, nature and intensity of use of the proposed development would be in keeping with the surrounding and that no detrimental effect upon highway safety would result and adequate provision for the parking and manoeuvring of vehicles associated with the proposed development is made whilst preserving the character and amenity of the area.

17. The conversion of the garage to a pharmacy is a use that would be acceptable within a residential area. Indeed, it would be sustainable to have such facilities adjacent to the doctor's surgery.

18. Replacing the garage doors with a new shop front would not detract from the character of the host building. Any future signage is indicated to be discreet fascia signage, and would not be imposing upon the residential character of the area.

19. It is unlikely that this proposed use and alterations would harm the character and appearance of the area, given the presence of the existing use, and would therefore comply with UDP Policy DD4.

Residential amenities of nearby occupiers

20. No 4 Quarry Road is located to the west of the application site, separated by the access drive for properties behind the application site. The extension to the converted garage would be sited some 10m away from this property and would not therefore raise any issues with regard to the Council's 45-Degree Code Guidelines. A distance of 13m between the extension and the dwelling to the rear, 6 Quarry Road, is more than adequate distance to protect their residential amenities.
21. Although the use could potentially intensify movements to and from the site, the majority of customers are likely to be visiting following the use of the doctor's surgery. Residential amenities of surrounding occupiers would not be adversely affected.
22. The Head of Environmental Health has not raised any adverse comments with regard to nuisance for neighbours. However, as the pharmacy would potentially allow any A1 (retail) use in the future, it is considered appropriate that hours of use are restricted from 8.00am to 7.00pm Monday to Saturdays, and at no time on Sunday or Bank Holidays.

Highway safety

23. The site's parking requirement of 10 parking spaces was calculated using the maximum parking standards within the Parking Standards and Travel Plans SPD. The GED has confirmed that the provision of on-site parking is satisfactory for both the surgery and proposed pharmacy.
24. It is also noted, that there is a lay-by directly outside the surgery, which permits the parking of additional vehicles without any obstruction to highway users along Quarry Road.
25. It is considered that the proposed development would not adversely impact highway safety in this area, and therefore complies with UDP Policy DD6.

Planning Obligation

26. The proposed development has a requirement to provide planning obligations to mitigate against the consequential planning loss to the existing community. Should

permission be granted, a S106 Agreement would be required in respect of the following contributions.

Offsite Contributions:

The proposal attracts a requirement for a commuted sum to be paid towards the following infrastructure:

Transport Infrastructure Improvements - **£6178.50**

Management and Monitoring Charge - **£500**

Admin charge to draft legal agreement - **£400**

Total Offsite Contribution equates to **£7078.50**

27. The applicant has agreed to the payment of these offsite-planning obligations, and therefore the proposal complies with UDP Policy DD7 and the Planning Obligations SPD.

CONCLUSION

28. The change of use of the garage to a pharmacy is acceptable as the character and appearance of the surrounding area or highway safety would not be adversely impacted. With relevant conditions to limit opening hours, it is considered that no adverse impact upon residential amenities would occur. The applicant has agreed to the payment of off site planning obligations for Transport Infrastructure Improvements. This proposal is therefore compliant with the requirements of UDP Adopted UDP (2005) DD4 – Development in Residential Areas, DD6 – Access and Transport Infrastructure, DD7 – Planning Obligations, Supplementary Planning Documents - Parking Standards and Travel Plans and Planning Obligations.

RECOMMENDATION

29. It is recommended that this application be approved subject to;

- a) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee the provision of monies for transport

infrastructure improvements has been submitted to and agreed in writing by the Local Planning Authority.

- b) The Scheme shall include the method, timing and arrangements including a means to guarantee a financial payment, increased through index linking from the first April each subsequent year, in accordance with the Council's planning obligations policies.
- c) The following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary;

REASON FOR THE GRANT OF PLANNING PERMISSION

The change of use of the garage to a pharmacy is acceptable as the character and appearance of the surrounding area or highway safety would not be adversely impacted. With relevant conditions to limit opening hours, it is considered that no adverse impact upon residential amenities would occur. The applicant has agreed to the payment of off site planning obligations for Transport Infrastructure Improvements. This proposal is therefore compliant with the requirements of UDP Adopted UDP (2005) DD4 – Development in Residential Areas, DD6 – Access and Transport Infrastructure, DD7 – Planning Obligations, Supplementary Planning Documents - Parking Standards and Travel Plans and Planning Obligations.

INFORMATIVE

For the avoidance of doubt, this permission relates to drawing marked 0985/02 and shall be implemented in accordance with this plan unless otherwise agreed in writing with the LPA.

Conditions and/or reasons:

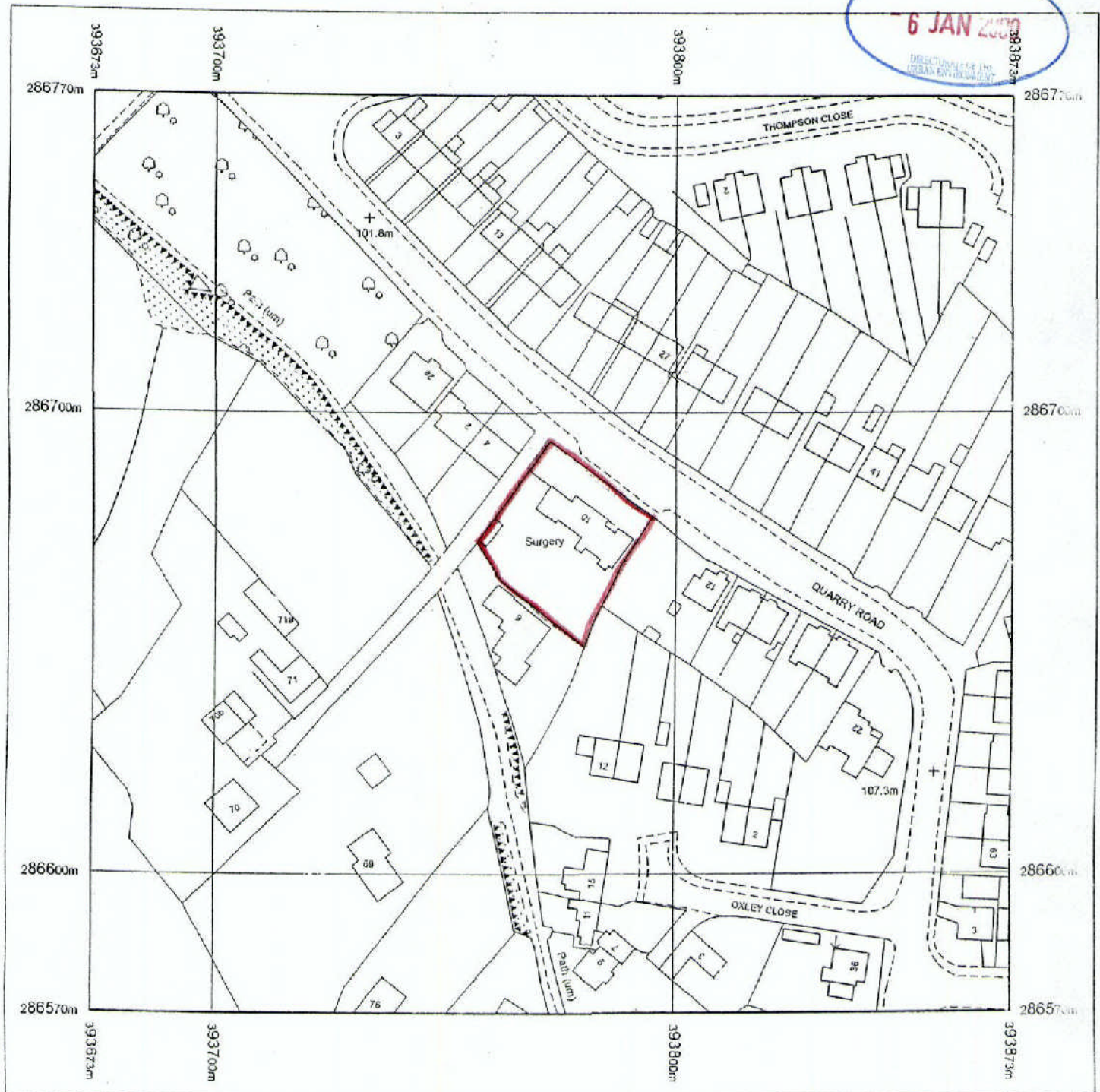
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development not beginning until a scheme for the provision of:
 - Transport Infrastructure Improvements
 - Monitoring and Management Chargehas been submitted to and approved in writing by the Local Planning Authority.

3. Prior to the commencement of development, details of the types, colours and textures of the materials to be used on the external surfaces of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.
4. The building shall not be occupied until the area shown for car parking on the plan numbered 0985/02 has been graded, levelled, surfaced, drained and marked out in accordance with the agreed scheme and that area shall not thereafter be used for any other purpose unless otherwise agreed in writing with the local planning authority.
5. The use hereby permitted shall not be open to customers before 08.00 nor after 19.00 hours Mondays to Saturdays, nor at any time on Sunday or Bank Holidays.

Revised

6 JAN 2009

DISCONTINUED THE
ORDNANCE SURVEY



Produced 03.09.2008 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. © Crown Copyright 2008.

Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey.

Ordnance Survey, the OS Symbol and OS Sitemap are registered trademarks of Ordnance Survey, the national mapping agency of Great Britain.

The representation of a road, track or path is no evidence of a right of way.

The representation of features as lines is no evidence of a property boundary.



Scale 1:1250

Supplied by: Centremaps
Serial number: 00984200
Centre coordinates: 393773 286670

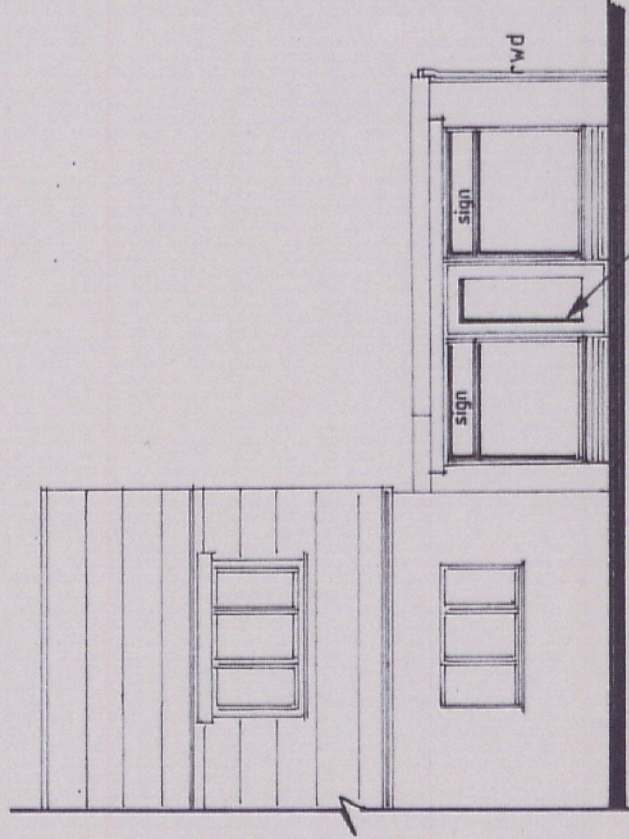
Further information can be found on the OS Sitemap information leaflet or the Ordnance Survey web site:
www.ordnancesurvey.co.uk

QUARRY ROAD SURGERY
EXTENSION OF CANAL
AND C of U TO PHARMACY

Location Plan

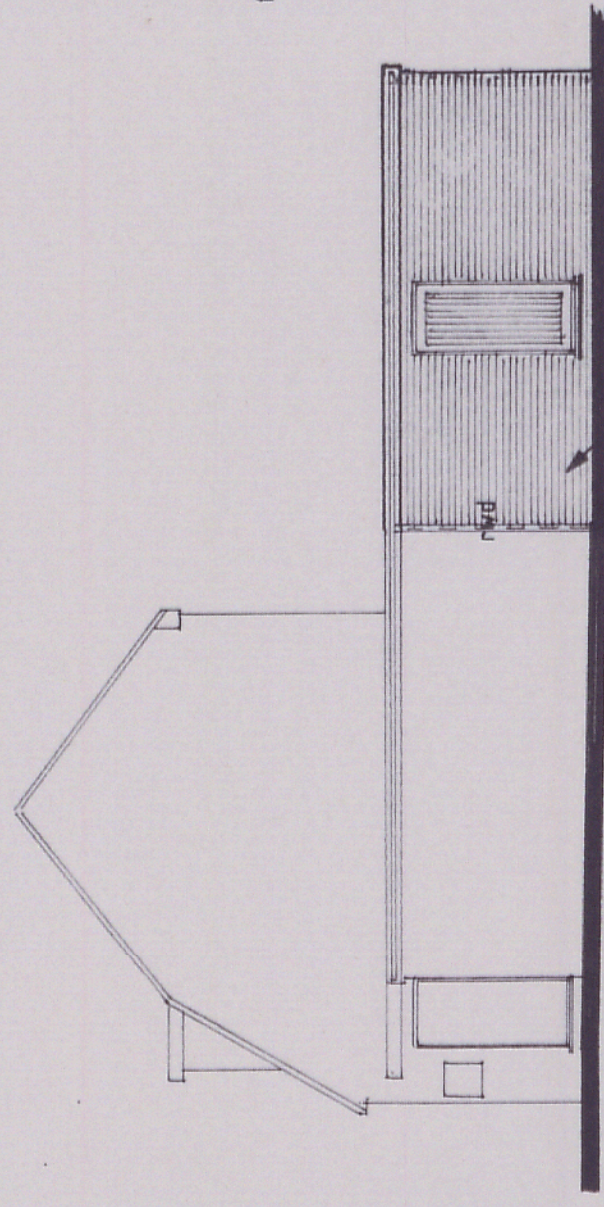
1/1250.

ELEVATIONS 1/100



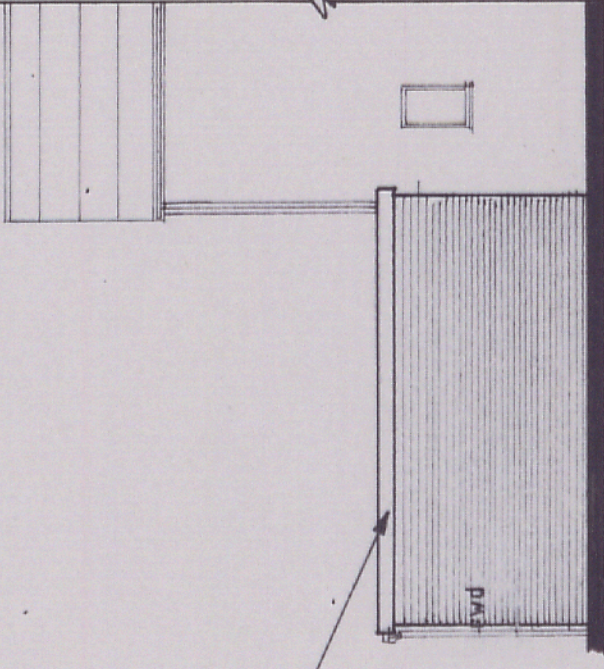
FRONT

remove extg. garage dor, renew lintel over and fit shop front with b-v-k plinth under in white finish to match extg.



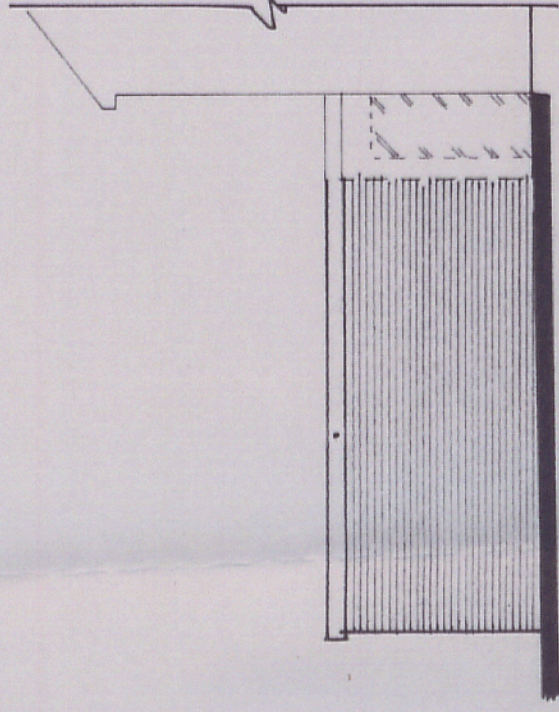
SIDE

brickwork to match extg. in colour and texture



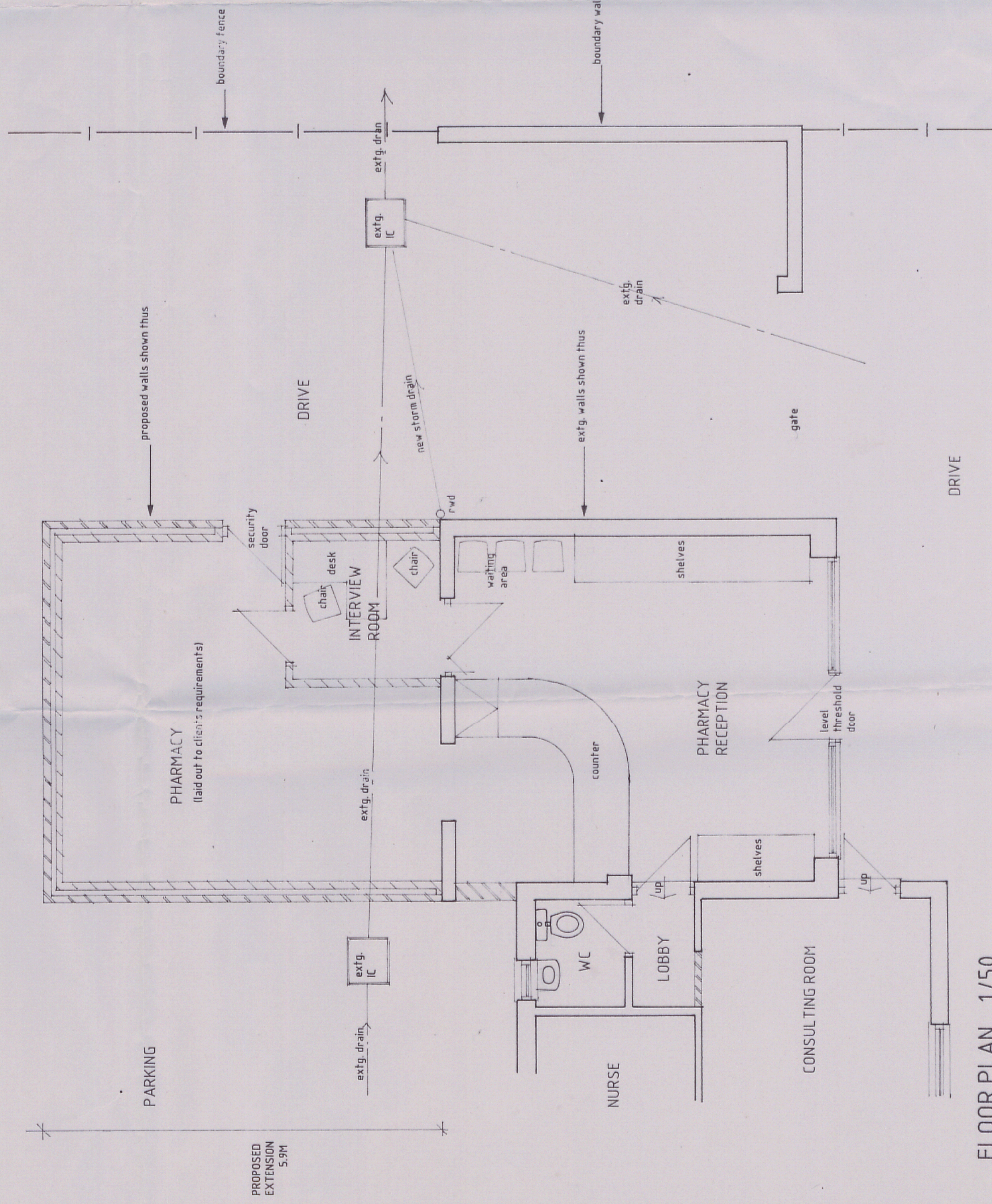
REAR

facias/soffits to match extg.



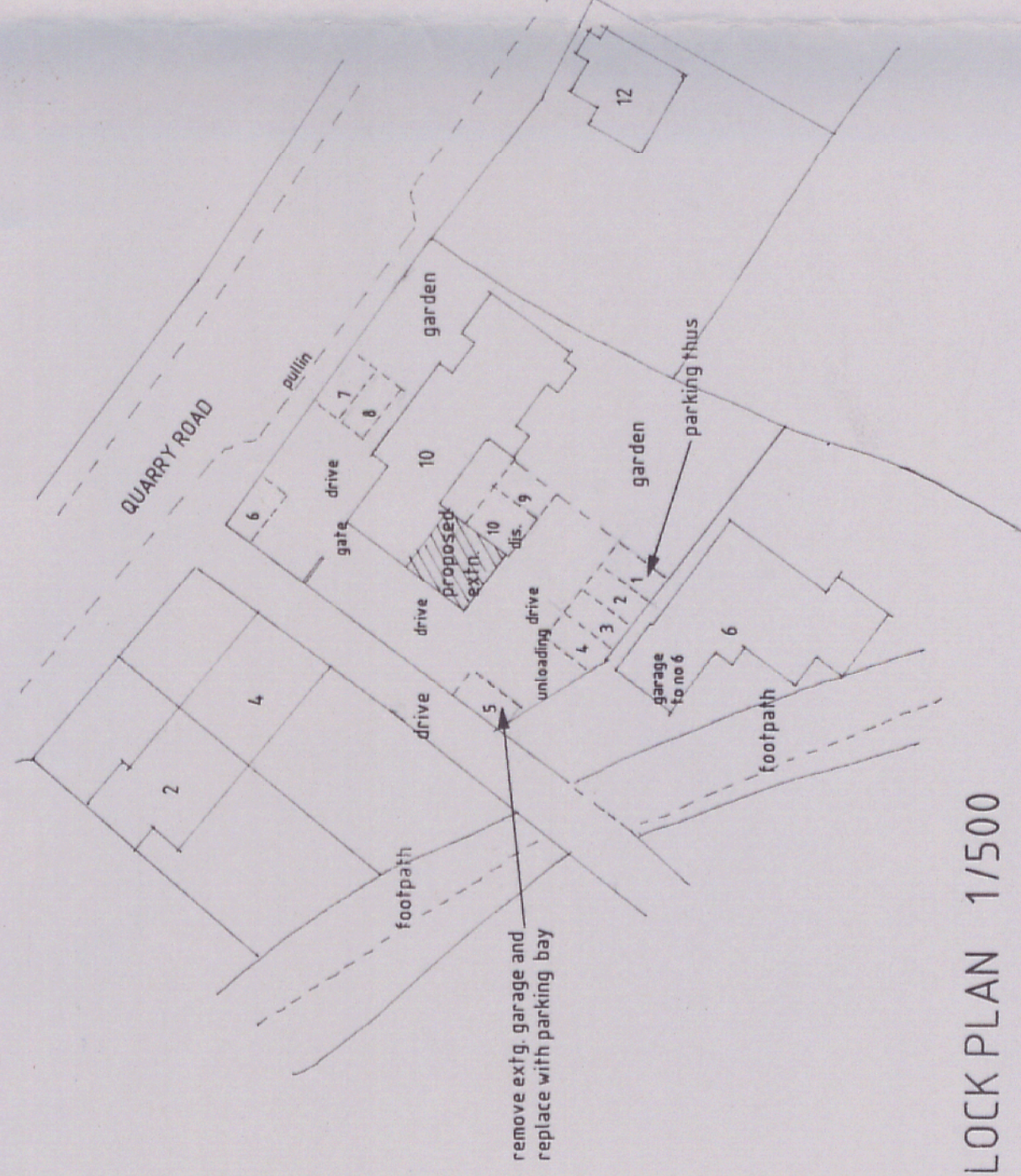
SIDE

DRIVE



FLOOR PLAN 1/50

PARKING



BLOCK PLAN 1/500

Proposed Elevations
POA 10012



PROJECT

PROPOSED EXTENSION TO SURGERY TO FORM PHARMACY
AT 10, QUARRY ROAD, DUDLEY, DY2 0EF

AS PROPOSED DETAILS

CLIVE WALKER AND ASSOCIATES

DATE

dec. 08

SCALE

1/100.50.500

DRG. NO.

0985/02

REV.