

## MAIDENHEAD DEVELOPMENT CONTROL PANEL

4 February 2009

Item: 13

<b>Application No.:</b>	08/03053/FULL
<b>Location:</b>	The Holyport Surgery Stroud Farm Road Holyport Maidenhead SL6 2LP
<b>Proposal:</b>	Single storey extension for use as a Pharmacy
<b>Applicant:</b>	Drs Langdon
<b>Agent:</b>	Mr T Cherrill - Chetstone Ltd
<b>Parish/Ward:</b>	Bray Parish
<b>If you have a question about this report, please contact:</b> on 01628 685320 or at susan.sharman@rbwm.gov.uk	

### 1. SUMMARY

- 1.1 The application seeks permission for a single storey extension to an existing surgery to provide a pharmacy. An extension to provide a pharmacy on this site was originally allowed at appeal in 1999. There have been two subsequent applications for the same proposal, one of which was approved but lapsed. The other, more recent application 08/00719, was refused for the only reason that the applicant did not submit a unilateral undertaking by the required deadline to provide contributions towards associated infrastructure. This application is identical to application 08/00719 and there have been no material change in circumstances since that application. Accordingly, and since an undertaking is still required to secure appropriate infrastructure in relation to the development, the recommendation is as set out below.

<b>It is recommended the Panel authorises the Head of Planning:</b>	
1	<b>To grant planning permission on the satisfactory completion of an undertaking to secure the infrastructure in Section 7 of this report and with the conditions listed in Section 10 of this report.</b>
2	<b>To refuse planning permission if an undertaking to secure the infrastructure in Section 7 of this report has not been satisfactorily completed by 13<sup>th</sup> February 2009 for the reason that the proposed development would not be accompanied by associated infrastructure improvements.</b>

### 2. REASON FOR PANEL DETERMINATION

- The Head of Planning considers it appropriate that the Panel determines the application.

### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application relates to The Holyport Surgery, which occupies a two-storey building on a corner plot at the junction of Stompits Road and Stroud Farm Road. The site is within a built up area, with Holyport Primary School in Stroud Farm Road to the south and a small parade of shops opposite the site on the north side of Stompits Road.

### 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

08/00719	Single storey extension for use as a pharmacy.	Refused 13.05.08.
03/40363	Change of use from D1 surgery to a mixed class D1/A1 (to include a pharmacy use involving a single storey extension).	Permitted 15.10.03.
98/33301	Single storey side/front extension to use as a pharmacy.	Appeal Allowed 21.10.99.
96/30499	First floor extension and ground floor porch.	Permitted 22.01.97.
422573	Change of use to doctor's surgery.	Permitted 03.08.89.

- 4.1 The proposal is identical to the previous application 08/00719, which was considered by the Panel on 30<sup>th</sup> April 2008. The decision of that Panel was to defer the application and delegate authority to the Head of Planning to either grant planning permission subject to conditions and the completion of a legal agreement or refuse permission if a legal agreement or undertaking was not satisfactorily completed by 13<sup>th</sup> May 2008. The application was refused on the grounds that the applicant had not completed an undertaking to provide an appropriate contribution towards infrastructure and amenity requirements by the specified time. There were no other reasons for refusal.
- 4.2 The proposal is to extend the existing surgery to provide additional floorspace for a pharmacy. This would be a direct addition to the existing dispensary, which forms part of the medical and community health services provided at the premises. The single storey addition would extend around a corner of the existing building along its northern flank and up to the edge of the pavement along Stompits Road. It is designed with a part flat and part pitched roof and has a total floor area of approximately 39m<sup>2</sup>.

## 5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

### Berkshire Structure Plan and Royal Borough Local Plan

- 5.1 The main strategic planning considerations applying to the site and the associated policies are:

	Within settlement area
	✓
Structure Plan	DP5
Local Plan	DG1

- 5.2 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Planning Obligations and Developer Contributions
- Interpretation of Policies R2 to R6 – Public Open Space provision

More information on these documents can be found at:

[http://www.rbwm.gov.uk/web/pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm)

### Other Local Strategies or Publications

- 5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy – view using link at paragraph 5.2

## 6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:

- Whether there have been any material changes in circumstances since the consideration of the previous application, 08/00719
- The impact of the proposal on the character and appearance of the area
- The adequacy of car parking and the effect on highway safety

## **Whether there have been any material changes in circumstances since the consideration of the previous application, 08/00719**

- 6.2 The application is identical to that proposed under application 08/00719. The only change in circumstances since the determination of the previous application is the revision, in September 2008, of the Borough Council's Planning Obligations and Developer Contributions Supplementary Planning Document. The list of developers contributions required is set out in Section 7 of this report.

## **The impact of the proposal on the character and appearance of the area**

- 6.3 The surgery is currently at an angle to Stompits Road and so the extension will, to some extent, give the building a more direct outlook to both the road and local centre opposite. It will project a maximum of 5 metres from the existing building, however, it is not considered that it will protrude unsympathetically in the street scene, as it is single storey and will appear subordinate to the original building. The extension will complement the existing building and the inclusion of a glazed frontage will assist in physically linking the health centre into the local centre.
- 6.4 Given that the adjoining development in Stompits Road consists of fences and a garage to the rear of residential properties that front onto Stroud Farm Road, there is effectively no 'building line', with which the proposed extension could conflict. Although the proposal will result in the loss of a small amount of landscaping it will not affect parking or circulation areas.
- 6.5 In line with the consideration of the previous applications and the views of the Inspector in allowing the appeal against the refusal application 99/33301, it is concluded that the proposed extension will not unacceptably affect the character and appearance of the area or detract from the street scene of Stompits Road. The proposal complies with Policy DG1.

## **The adequacy of car parking and the effect on highway safety**

- 6.6 There are currently 8 to 10 parking spaces serving the surgery, split as 4 spaces off Stompits Road and 4 to 6 off Stroud Farm Road. An additional 4 spaces are available within a lay-by area to the west of the surgery. This lay-by has previously been marked and accepted as being within the ownership of the applicant. There is additional public parking available on the opposite side of Stompits Road outside the parade of shops.
- 6.7 It is considered that the majority of the trips to the pharmacy will be linked to the surgery. The surgery is also within a residential area, which will encourage walking and cycling to the site. Accordingly, the Highways Authority has raised no objections with regard to the parking provision for this development.
- 6.8 The site is located on the corner of the junctions of Stroud Farm Road and Stompits Road, Holyport. Both Stroud Farm Road and Stompits Road are adopted unclassified street lit highways subject to a 30mph speed restriction. There are accesses from the site onto both of these highways, although there is no through route as each serves a separate parking area. The Stroud Farm Road access serves the public entrance and car park, whilst the access from Stompits Road gives access to parking for staff only. The Highways Authority considers the visibility from both accesses to be acceptable and will not be hindered by the proposed extension.
- 6.9 As the proposed pharmacy is to be located on the Stompits Road side of the surgery adjacent to the staff car parking, there may be a desire for users to try and park in the staff parking area. In order to prevent this, which may lead to vehicles reversing out of the access, the Highway Authority requires the access to be clearly marked as staff only. Accordingly, subject to the imposition of conditions the Highways Authority has no objection to the proposal.

**Other Material Considerations**

6.10 The proposed extension is set away from residential properties and therefore none will be adversely affected by it in terms of loss of privacy, loss of light or from it being overbearing. Although there is an existing chemist opposite the site, this was opened before the original application was submitted (99/33301) and it is not the function of the Local Planning Authority to arbitrate on trading or competition issues. In terms of Local Plan shopping policies, the proposal would support the availability of local facilities consistent with saved policies S1 and S2.

**7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS**

7.1 This development would place additional pressure on local services and infrastructure. The Council requires local services and infrastructure to be improved alongside development and to be funded by the developer in accordance with its Supplementary Planning Documents setting out the relevant costs (see paragraph 5.2). In this case these improvements can be secured through an undertaking under S106 of the 1990 Planning Act completed before planning permission is granted. Details of the funding and projects are shown below.

Economic Development	Local Grow Your Own project.	£331
Biodiversity	Local biodiversity projects.	£15
Indoor Sport	Magnet Leisure Centre pool and hall improvements.	£286
Libraries	Local Library services.	£37
Public Art and Heritage	Maidenhead and area projects.	£296
Public Open Space	Maidenhead area / northern parishes, land purchase or lease for formal use. Maidenhead area/northern parishes – formal sports provision.	£2589
Public transport and Highways	Scheme 568 – LTP Integrated Transport Strategy – Rural Bus Support	£3124
<b>Total</b>		<b>£6,678</b>

**8. CONSULTATIONS CARRIED OUT**

**Comments from interested parties**

17 occupiers were notified directly of the application.

1 letter of representation was received, summarised as:

Comment		Where in the report this is considered
1.	Requests that some of the S106 contribution go towards the upkeep of a grass verge next to the surgery, which has been destroyed by drivers, visiting the local facilities, parking on it. Asks that some of the S106 contribution is also used to provide a suitable barrier to prevent further damage.	7.1

2 letters were received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	There is already a perfectly adequate pharmacy opposite the site.	6.10
2.	There is a parking problem on Stompits Road that will be made worse	6.6 – 6.9

	when there is no additional space and endanger the safety of school children.	
3.	The planning application has already been made on a number of previous occasions and rejected. It is unclear how this application differs from the one in March 2008.	4, 4.1
4.	The proposed contribution towards public open space is a token one, with no real relevant for people living, working or shopping in Holyport.	7.1
5.	The whole motivation for this application is commercial. There is no apparent need for another pharmacy.	6.10

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Highways Authority	No objections subject to conditions and informatives.	6.6 – 6.9
Bray Parish Council	Objects on the grounds that it considers the proposed extension to be over-development of the site situated on a busy corner.	6.3 – 6.9

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan, floor plan and elevations.

## 10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990.
- The materials to be used on the external surfaces of the development hereby permitted shall match those of the existing building unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out and maintained thereafter in accordance with the approved details.  
Reason: In the interests of the visual amenity of the area. Relevant Policies - Local Plan DG1.
- The existing visibility splays are to be retained and kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level.  
Reason: In the interests of road safety. Relevant Policies - Local Plan T5.
- The existing parking and turning areas, as shown on the approved drawing, shall be retained and kept available for parking and turning of motor vehicles in connection with the authorised use of the property at all times.  
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which would be a danger to other road users; also, to ensure vehicles enter and leave the highway in forward gear. Relevant Policies - Local Plan P4.
- No part of the development hereby submitted shall be occupied until a cycle parking area has been provided in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. This cycle facility shall thereafter be kept available for the parking of cycles at all times.  
Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7.
- No development shall be commenced until the access off Stompits Road has been clearly signed as 'Staff Only'.  
Reason: In the interests of road safety. Relevant Policies - Local Plan T5.

### Informative(s)

- The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which enables

the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.

2 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.

3 In order to protect the stability of the highway it is advised that no excavation is carried out within 15 metres of a public highway without the written approval of the Highway Authority. The Highway Manager should be contacted at the Town Hall, St Ives Road, Maidenhead, SL6 1RF tel: 01628 796595.

4 Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from the The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel: 01628 796801 at least 4 weeks before any development is due to commence.

5 No builders materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.