

Development Management Report

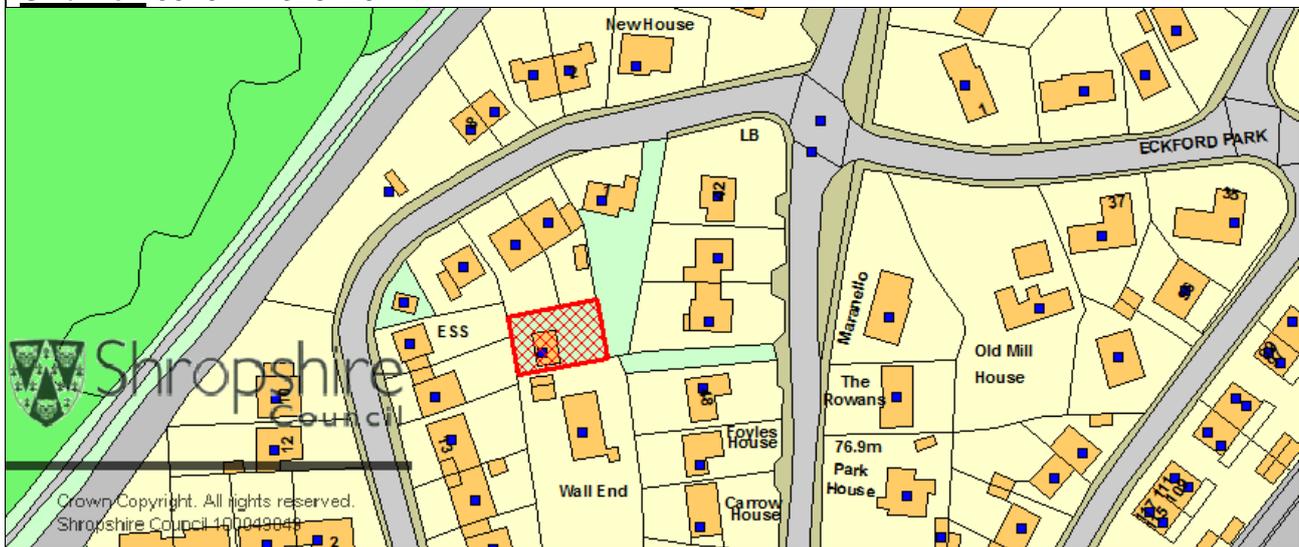
Responsible Officer: Tim Rogers

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Summary of Application

<u>Application Number:</u> 20/02261/FUL	<u>Parish:</u>	Wem Urban
<u>Proposal:</u> Alterations in connection with conversion of former doctors surgery into one residential dwelling		
<u>Site Address:</u> The Doctors Surgery Roden Grove Wem Shrewsbury Shropshire		
<u>Applicant:</u> Mr Richard Garbett		
<u>Case Officer:</u> Jane Preece	<u>email:</u> planning.northern@shropshire.gov.uk	

Grid Ref: 351077 - 328426



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Recommendation:- Grant Permission subject to the conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

- 1.1 The application seeks full planning permission for ‘Alterations in connection with conversion of former doctors surgery into one residential dwelling’

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The former Doctors Surgery lies within the predominantly residential area of Roden Grove, Wem. A veterinary practice lies to the north east. The former doctors surgery is accessed off the Roden Grove estate road and shares the access way with the vets practice.
- 2.2 Photographs of the property are given below:



2.3 The site lies within the development boundary of the market town of Wem for development plan purposes.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The applicant is an employee of Shropshire Council and works in the Highways Department.

4.0 Community Representations

4.1 Consultee Comments

4.1.1 **SUDS** – No comment from drainage and flood risk perspective, as there are no proposed changes to the footprint of the building.

4.1.2 **SC Affordable Homes** – If the development is policy compliant then whilst the Council considers there is an acute need for affordable housing in Shropshire, the Councils housing needs evidence base and related policy pre dates the judgment of the Court of Appeal and subsequent changes to the NPPG, meaning that on balance and at this moment in time, then national policy prevails and no affordable housing contribution would be required in this instance.

4.2 Public Comments

4.2.1 **Wem Town Council** – Wem Town council does not have any comments on this application.

4.2.2 **Public representations** – The application has been publicised by way of a site notice and neighbour consultation letters. No representations have consequently been received.

5.0 THE MAIN ISSUES

- Policy and principle of development
- Character and appearance
- Residential amenity
- Access and parking

6.0 OFFICER APPRAISAL

6.1 Policy and principle of development

6.1.1 The existing building is located within the Wem development boundary, where the principle of conversion to residential use is considered acceptable under Shropshire Core Strategy policies CS1 and CS3; Site Allocation and Management of Development (SAMDev) Plan policy S17 and the NPPF.

6.1.2 It is considered that the re-use of an existing building is a sustainable option in providing additional residential accommodation in Wem and bringing a vacant building back into use. Whilst the building formerly provided a facility/service as a doctors surgery, there is evidence available to demonstrate the ongoing use was unsustainable. A link and notice of closure/proposed closure extract are provided below in this regard:

6.1.3 <https://www.clivemedicalpractice.nhs.uk/info.aspx?p=13>

‘Proposed Closure of Roden Grove

Notice Of Closure

The Roden Grove Branch surgery located at Roden Grove, Wem, Shrewsbury, Shropshire, SY4 5HG will permanently close on 31st January 2020.

If you have used the surgery in recent months, you may have seen notices in the surgery advising of the planned closure and inviting your comments.

The main surgery, Clive Medical Practice will remain open, the closure of the branch surgery will not affect your registration with Clive Medical Practice and the doctors and staff very much hope that you will remain as a patient. However, if you wish to register with a different practice you are free to do so.

Proposed Closure

For some time the practice has been experiencing difficulty in managing and sustaining the branch surgery in Roden Grove. All our patients deserve a high quality healthcare service but for a number of reasons we feel unable to deliver the services we would like to from this branch. Therefore we have made a request to NHS England Clinical Commissioning Group to close Roden Grove Surgery.

For the Partners of Clive Medical Practice the decision to request the closure of the branch surgery has not been taken lightly. Over the past twelve months, we have tried various solutions to keep the branch surgery open. However, the national shortage of GPs has led to difficulty in recruiting permanent doctors. In addition, provision of modern primary healthcare is becoming increasingly difficult and delivery on two sites is no longer sustainable. As GPs we are primarily concerned with the well-being of our patients. We believe that centralising services on a single site at Clive Medical Practice, we will be able to offer a more flexible, efficient GP service with better access for our patients. We welcome your views so if you wish to you can complete the short survey by following the link to an online survey: ...’

6.2 **Character and appearance**

6.2.1 The conversion proposals will utilise existing openings and will not materially or adversely affect the character and appearance of the existing building. Otherwise, the building is surrounded by hard surfacing and would benefit from some soft landscaping, both to improve visual appearance and enhance biodiversity. This can be addressed by imposing a landscaping condition.

6.3 **Residential amenity**

6.3.1 The building is single storey in height, with proposed habitable room windows at ground floor level where it is considered they will not impact on privacy of adjoining neighbours. There is however, a single window in the gable end elevation (north) above ground floor level. Therefore, it is considered that a condition should be imposed that this window be obscure glazed to safeguard privacy. Furthermore, to further safeguard privacy and to ensure the property remains to be served by an adequate amount of external space then it is also considered that permitted development rights should be removed by condition to extend the property, including in relation to altering the roof or extending above ground floor level.

6.4 **Access and parking**

6.4.1 No access and parking issues have been raised. The property is accessed via an existing access off Roden Grove and will have space at its frontage to provide adequate on-site parking, although parking provision is not actually detailed on the block plan. Nonetheless, a planning condition can be imposed to secure appropriate parking details (on a layout plan) and ensure that the consequently approved details are maintained in perpetuity to serve the proposed development.

6.5 **Drainage**

6.5.1 No drainage issues have been raised.

7.0 **CONCLUSION**

7.1 On balance and subject to compliance with recommended planning conditions of approval, officers consider that the proposal is acceptable and capable of compliance with local and national planning policies. Approval is therefore recommended, subject to the imposition of the conditions listed in the appendix below.

7.2 In considering the application due regard has been given to the following planning policies as relevant: Shropshire Core Strategy CS1, CS3, CS6, CS8, CS9, CS11, CS17 and CS18; Site Allocations and Management of Development (SAMDev) Plan policies MD1; MD2, MD3, MD12 and S17; the Council's SPD on the Type and Affordability of Housing and the National Planning Policy Framework.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- ☐ As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- ☐ The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

9.0 Financial Implications

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

10. Background

Relevant Planning Policies

Central Government Guidance:
National Planning Policy Framework

Core Strategy and SAMDev Plan Policies:
CS1 - Strategic Approach
CS3 - The Market Towns and Other Key Centres
CS6 - Sustainable Design and Development Principles
CS8 - Facilities, Services and Infrastructure Provision
CS9 - Infrastructure Contributions
CS11 - Type and Affordability of housing
CS17 - Environmental Networks
CS18 - Sustainable Water Management
MD1 - Scale and Distribution of Development
MD2 - Sustainable Design
MD3 - Managing Housing Development
MD12 - Natural Environment
Settlement: S17 - Wem
SPD Type and Affordability of Housing

RELEVANT PLANNING HISTORY:

NS/80/00600/FUL Erection of extension to existing veterinary surgery. GRANT 12th August 1980

11. Additional Information

[View details online:](#)

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Documents available to view via SC planning portal for the planning application.

Cabinet Member (Portfolio Holder)

Councillor Gwilym Butler

Local Member

Cllr Pauline Dee

Cllr Chris Mellings

Appendices

APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. The development shall be carried out strictly in accordance with the approved plans and drawings

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

3. Any external materials used in the proposed conversion scheme shall match in colour, form and texture those of the existing building.

Reason: To ensure that the works harmonise with the existing development.

CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

4. A full scheme of landscaping details, to include both hard and soft landscape works, shall be submitted for the prior written approval of the Local Planning Authority. The landscape works shall be carried out in full compliance with the approved scheme prior to the first occupation of the dwelling hereby approved or otherwise in accordance with a schedule and timescale to be firstly agreed in writing with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall upon written notification from the Local Planning Authority be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure that the appearance of the development is satisfactory and in the interests of visual amenity; to secure biodiversity enhancements and to ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

5. Details of on-site parking provision shall be submitted to and agreed in writing with the Local Planning Authority and implemented as agreed prior to the dwelling first being brought into use. The approved parking shall thereafter be permanently retained and maintained at all times for that purpose.

Reason: To ensure the provision of satisfactory parking facilities in the interests of highway safety and ensure an appropriate level of parking is provided for the lifetime of the development.

CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification), the following development shall not be undertaken without express planning permission first being obtained from the Local Planning Authority:-

- extension to the dwelling
- addition or alteration to the roof
- any rooflights or dormer windows

Reason: To maintain the scale, appearance and character of the development and to safeguard residential and visual amenities.

7. The window in the north gable elevation shall be permanently glazed with obscure glass and shall thereafter be retained as such.

Reason: To preserve the amenity and privacy of adjoining properties.