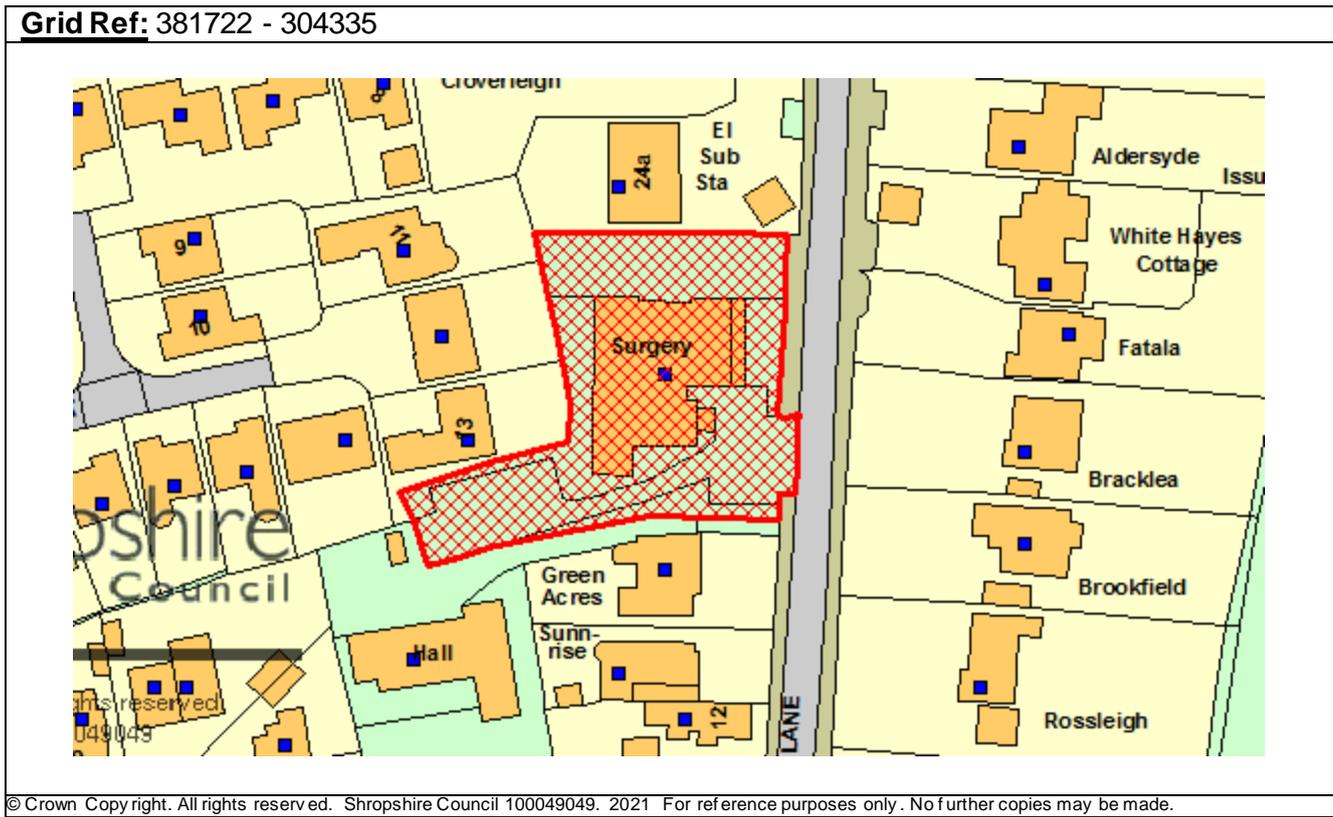


Development Management Report

Responsible Officer: Tracy Darke, Assistant Director of Economy & Place

Summary of Application

Application Number: 21/04508/FUL	Parish: Albrighton
Proposal: Erection of first floor extension and ground floor refurbishment of GP practice including rearrangement of car park	
Site Address: Doctors Surgery, 24 Shaw Lane Albrighton WV7 3DT	
Applicant: Albrighton Medical Practice	
Case Officer: Elizabeth Attwood	email : elizabeth.attwood@shropshire.gov.uk



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

REPORT

1.0 THE PROPOSAL

1.1 Erection of first floor extension and ground floor refurbishment of GP practice including rearrangement of car park.

- 1.2
- The existing medical practice consists of 15 consulting rooms on the existing ground floor, 10 of which are general practice rooms, 3 nurse's rooms, phlebotomy and children's health – supported by associated dispensary; reception; waiting rooms and toilets. On the first floor further rooms provide accommodation for staff, including offices, staff room, library and a conference room.
 - Albrighton Medical Practice currently supports 30 staff members, including 6 GP partners and 2 registrars. Of the 30 employees, 8 of these are clinical (3 : 5 full time : part time) and 22 are administrative staff (7 : 15, full time : part time).
 - The practice is open from 08:00 to 16:00 Monday to Friday. Despite the Covid-19 pandemic, staff have continued to attend the office on a daily basis with the exception of 1 GP who has been working from home and any other staff only working from home if they have been required to self-isolate.
 - It is anticipated that the practice would be working in the future with a mixture of telephone and face to face consultations. As has been found over the pandemic, telephone consultations have reduced the number of trips to surgeries thereby reducing the impact that this has had on traffic generation.

- 1.3
- The proposed development seeks to increase the first floor area by creating a first floor extension over part of the existing single storey built development area, as a result moving 2 of the consulting rooms upstairs and providing a further 3 consulting rooms, with a library and a conference room being located into the extended area.
 - The mass associated with the extension does not extend beyond the existing broader mass and scale parameters associated with the practice, and is located in an area whereupon its measurable impact upon the surrounding area is considered to be negligible; due to the existing provision of scale associated with the medical practice and separation distances to surrounding residential dwellings.
 - As a result of the proposed development, the application seeks to implement an additional 2 car parking spaces to the existing provision of car parking within the scheme which, together with the implementation of an updated car parking management system, as identified within the accompanying Transport Assessment and Travel Plan.

2.0 SITE LOCATION/DESCRIPTION

2.1 The site fronts Shaw Lane, to the north of Albrighton High Street and comprises a single and 1.5 storey building, with the reception area located within the single

storey element. The building is facing brick under a tiled hipped roof. Parking is to the front (east) side (north) and rear (west).

- 2.2 There is a private access between the site and a dwelling known as Green Acres (to the left/south) leading to Albrighton Scout hut and amenity land at the rear to the south west. The rear elevations of (two storey) no's 11, 12 & 13 Longcroft face the rear of the medical practice. There is a substation and no.24a Shaw Lane to the right (north).
- 2.3 The surrounding area comprises single and two storey dwellings of varying scale, age and design, some with and some without off street parking. Access to St Mary's primary school is located to the north east (on street parking is restricted around the school entrance). Albrighton railway station is approximately 200m away to the north east.

3.0 **REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

- 3.1 The Parish Council view is contrary to the Officer recommendation. The Ward Cllr is supportive of the Parish objection on highway grounds. The Principal Officer in consultation with the chairman and vice-chairman have concluded that the application warrants the balance of planning considerations to be considered by Committee given the matters raised and the context of other recent applications affecting Shaw Lane and highways issues.

4.0 **Community Representations**

- Consultee Comments

- 4.1 Albrighton Parish Council – objects. The Parish Council wholeheartedly support the principle of increased medical and other services for the residents of Albrighton. However, the Practice is on a constrained site with limited car parking provision. This leads to congested parking along Shaw Lane, particularly at busy periods such as school drop off and pick up times. The expansion of the Practice will inevitably lead to greater activity on the site, exacerbating an already poor situation. The Parish Council therefore objects on insufficient off street vehicle parking and highway safety grounds.
- The submitted Travel Plan was undertaken at a time when the Practice was operating under Covid restrictions/procedures. Therefore, the Parish Council are of the opinion the report doesn't represent a true reflection of the level of activity at the Practice in normal circumstances. New homes are currently under construction within Albrighton and this will lead to even greater use of the site.
- The proposed car parking layout indicates an increase of three additional car parking spaces. In the Parish Council's view this will be insufficient to accommodate the additional vehicle use generated by the extra services/new patients etc. The layout also appears to demonstrate some spaces will restrict the manoeuvrability of vehicles using them.
- The Parish Council would welcome the opportunity to work with the operators of the practice to explore alternative car parking arrangements or relocating the Practice

to a more sustainable site within the Village as set out in the Neighbourhood Plan.

- 4.2 SC Highways –The proposed development will provide three further consulting rooms and refurbish other rooms within the surgery, as well as rearrange the car park, with the addition of three further car parking spaces. The addition of three additional consulting rooms is unlikely to significantly impact on the existing situation and a highway objection to the proposal could not be sustained at appeal. The surgery is in a predominantly residential area with extensive on street parking. Although not ideal, the developer has attempted to maximise car parking spaces for its use and will also implement a Travel Plan. A Travel Plan Coordinator will be appointed, and it would be in the best interest of the surgery to liaise with The Councils Active Travel Manager to develop its travel plan further to encourage more sustainable travel. No objections subject to conditions in respect of parking and turning, on site construction, travel plan.
- 4.3 SUDs – have suggested an informative in respect of sustainable surface water drainage.
- 4.4 - Public Comments.

A Site Notice has publicised the application. No representations have been received in response to that publicity.

- 4.5 Ward Cllr (Nigel Lumby) - I read your (officer) advice to the developers where the principle of redeveloping the doctors to houses would be supported and being part of the local plan that land on the development phase be allocated for a new doctors. That is my preferred option. However they cant be made to undertake the considerable development costs to accomplish this. This application is by far a cheaper option but once done the relocation of the doctors will never happen. I am mindful that the planning committee will have to have due weight to Highways and if not lose on appeal. That said I would like this application to be considered by the committee with my added comment;
- This is an excellent doctors surgery, which would benefit from expansion of facilities and services. I consider this is best fulfilled on a new purpose built site on development land being released as per the Albrighton plan. The main concern is traffic issues created by parking in the road by patients attending the surgery, exacerbated at school opening and closing times in Shaw Lane. Once the whole of one side is taken up by parked cars, there are insufficient gaps for parked cars to create passing points. The regular solution is for cars to mount the pavement to pass, this I have witnessed many times. I have gone door to door to some of the residents by the surgery. 8 out of 10 are against the application purely on traffic grounds. One resident stated he had to come to the bottom of his drive and look right before stepping onto the pavement in case there was a car driving down it! The extra spaces, two in the staff side, would be taken up by the extra staff filling the extra consultation room. Because the extra space on the left side takes away the only turning space, this staff/patient car park will be quickly filled. This means any other vehicles coming to the surgery looking for a space, will drive in and have to reverse back into the entrance car parking area. This area has the pedestrian access to the main entrance through the small/tight car park. With

additional cars reversing and increased driving on the pavement will add to this very dangerous situation. These two situations are dangerous and should be planned out of any application to be successful.

5.0 THE MAIN ISSUES

Principle of development
Siting, scale and design of structure
Residential Amenity
Highway safety

6.0 OFFICER APPRAISAL

6.1 Principle of development

- 6.1.1 The National Planning Policy Framework (NPPF) at para 98 notes the importance to access to high quality health establishments, and section 12 places an emphasis on achieving good design
- 6.1.2 In terms of local planning policy, Policy CS3: The Market Towns and Other Key Centres states that these will maintain and enhance their roles in providing facilities and services to their rural hinterlands, and providing foci for economic development and regeneration. In terms of specific policy it states that; Albrighton will have development to meet local needs, respecting its location within the Green Belt.
- 6.1.4 Extensions are acceptable in principle providing they meet the relevant criteria of Shropshire Core Strategy Policy CS6: Sustainable Design and Development Principles. This policy states that development should be appropriate in siting, scale or design does not overwhelm or dominate the appearance of an original building or that the proposal does not have any detrimental impact on the level of residential amenity or harm visual amenity. Development needs to be adaptable, safe and accessible to all. Requiring proposals likely to generate significant levels of traffic to be located in accessible locations where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel to be reduced. Development is expected to contribute to the health and wellbeing of communities.
- 6.1.5 Furthermore, Policy CS8 seeks to enhance facilities, services and amenities that contribute to the quality of life of residents. Facilitating the timely provision of additional facilities, services and infrastructure to meet identified needs.....arising from new developments or existing community need, in locations that are appropriate and accessible. Policy CS13 supports the revitalisation of Shropshire's Market Towns, developing their role as key service centres, providing employment and a range of facilities and services accessible to their rural hinterland, in accordance with policy CS3.
- 6.1.6 Policy MD2: Sustainable Design of the SAMDev expects development proposals to contribute to and respect locally distinctive or valued character and existing amenity value. Policy S1: Albrighton Area states that 'All development proposals should

have regard to the Albrighton Plan’.

- 6.1.7 Albrighton Neighbourhood Plan ‘Light’ 2013 (ANP) states that; the current GP surgery located on Shaw Lane was identified as an issue by many in the community that use it. Specifically, there is limited parking available on site for patients, so parking occurs on the street. The surgery is located near to St Mary’s primary School and particularly at school pick-up time in the afternoon, there is considerable congestion and increased difficulty with parking. The proposed levels of growth (in Albrighton) will mean further patients using the surgery....which will continue to exacerbate the parking and congestions problems. It is not possible to expand the existing site so one solution would be to provide an alternative site should the surgery deem such a move appropriate. In order to make the provision of a new surgery deliverable, the existing site would have to be redeveloped in order to provide an appropriate return. The existing site is considered appropriate for residential development and any application for such would be viewed favourably. Para 7.1 of the ANP notes that parking issues at the GP surgery is considered to be acute.
- 6.1.8 Policy ALB3: Provision for a Replacement GP Surgery of the ANP states that; Favourable consideration will be given to the provision of a replacement GP surgery on the edge of Albrighton as an exception to normal GB policies, in order to provide for the community’s needs and improve social sustainability of Albrighton.....There will be a presumption in favour of the redevelopment of the site of the existing surgery in Shaw Lane for residential uses.
- 6.1.9 With Policy ALB11: Design stating that; New buildings should, wherever possible and appropriate, respect and reflect the character of the buildings around them. New buildings should seek to use similar architectural features to nearby older buildings.
- 6.1.10 Policies in the ANP are material planning considerations, however, that document is not a statutory Neighbourhood Plan (Unlike those for Much Wenlock and Shifnal) and so the policies contained in it do not take primacy over the SAMDev Plan or the Core Strategy, or Government guidance contained within the NPPF 2021.
- 6.1.11 The surgery is an existing facility in a sustainable location and the proposal seeks to extend on the first floor with no additional footprint. In view of the above ‘the principle’ of the proposed development is deemed acceptable. Design and parking is considered below.
- 6.2 **Siting, scale and design of structure**
- 6.2.1 The proposed extension is wholly above the existing single storey reception area. The scale is modest considering the size context of the existing building. Matching materials and fenestration details are proposed. The design and materials are sympathetic to the existing surgery.
- 6.3 **Residential Amenity**

6.3.1 The position, orientation and separation distances between the surgery and the neighbouring dwellings will ensure that there will be no adverse impact upon residential amenity by way of overbearing or overlooking. The proposed additional windows on the rear 1st floor elevation will be on the same plane as the existing 1st floor windows.

6.4 Highway Safety and Parking

6.4.1 The application is supported by a Transport Statement and a Travel Plan.

6.4.2 The proposed development will provide three further consulting rooms and refurbish the room within the surgery, as well as rearrange the car park, with the addition of three further car parking spaces. The addition of three additional consulting rooms is unlikely to significantly impact on the existing situation and a highway objection could not be sustained at Appeal. Para 111 of the NPPF states that; Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

6.4.3 The surgery is in a predominantly residential area with extensive on street parking. Although not ideal, the developer has attempted to maximise car parking spaces for its use and will also implement a Travel Plan. The Travel Plan document focuses both on patient and staff travel, the latter being that which is most able to be directly influenced by it. It seeks to minimise single vehicle occupancy trips and to raise awareness of sustainable modes of transport available for staff and visitors to and from the site. It's key target is to reduce the proportion of staff driving to the practice to 75% over a 5 year period, representing a 10% decrease in car trips and a slight reduction compared to the modal split for the wider village which sees 78% of workers in Albrighton travelling by car. The Travel Plan Coordinator will consider the introduction of permit parking at the practice. Should it be considered necessary to restrict parking, the scheme would be based on need, including a consideration of business, personal and physical needs as well as other modes of transport, such as bus or rail. The initial intention is that 17 spaces for staff are provided in the northern part of the site, with spaces in the southern half being flexibly used for staff and visitor parking. The nine spaces to the south west would be overflow for staff and when not in use available for visitors: Spaces will be marked and signed as such. The remaining seven spaces to the south east will be retained for visitor use only, inclusive of one Blue Badge parking bay. It would be in the interests of the surgery to liaise with The Council's Active Travel Manger to develop its travel plan to further encourage more sustainable travel. This matter will be addressed by conditions.

6.4.4 The Parish Council and Ward Cllr are concerned that the submitted traffic survey was carried out during covid/lockdown and therefore is disingenuous. However, SC Highways have confirmed that any traffic survey is moderated by them and factors built into their consideration of the proposed development. The 'severe harm' test within the NPPF, means that SC Highways would have to justify and demonstrate that the development proposed **alone** (extension and refurbishment), would in itself generate such a significant increase in traffic that the local highway situation would

lead to a serious injury or fatality of a road user, in order to provide a reason for refusal on highway safety grounds. It is their assessment that a highway/parking refusal reason could not be justified in this case when assessed against the criteria set out in the National Planning Policy Framework (2021).

7.0 CONCLUSION

7.1 The proposed extension, which includes additional parking spaces will provide an enhanced facility within the existing medical practice, wholly in line with Core Strategy policy CS8 which seeks to protect and enhance existing facilities and services which includes health care services. There would be no adverse impact the character and appearance of the site, the streetscene or residential amenity. Any impact upon highway safety will not be so severe to justify the refusal of this application. The proposal is deemed compliant with the principal determining criteria of the relevant development plan policies and conditional approval is recommended.

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

National Planning Practice Guidance

Shropshire Core Strategy policies:

CS3 The Market Towns and Other Key Settlements

CS6 Sustainable Design and Development Principles

CS8 Facilities, Services and Infrastructure Provision

CS13 Economic Development, Enterprise and Employment

SAMDev Plan

MD2 Sustainable Design

Albrighton Neighbourhood Plan 'Light' 2013

Policy ALB3: Provision for a Replacement GP Surgery

Policy ALB11: Design

RELEVANT PLANNING HISTORY:

BR/83/0241 Use of first floor flat as an extension to existing group surgery and installation of three larger windows on front elevation of building GRANT 10th June 1983
BR/90/1010 ERECTION OF AN EXTENSION TO EXISTING SURGERY BUILDING AND FORMATION OF ADDITIONAL CAR PARKING SPACES GRANT 14th February 1991
BR/96/0046 ERECTION OF A SINGLE STOREY EXTENSION AT THE FRONT AND A FIRST FLOOR EXTENSION GRANT 10th April 1996

11. Additional Information

View details online:

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=QZJGOTTDIB700>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information) Planning Policy Statement Transport Statement Travel Plan
Cabinet Member (Portfolio Holder) Councillor Ed Potter
Local Member Cllr Nigel Lumby
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. The external materials shall match in colour, form and texture those of the existing building.

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

4. No construction (and/or demolition) works and associated deliveries shall take place outside the hours of 7.30am to 6.00pm Mondays to Fridays; 8.00am to 1.00pm Saturdays; nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenities of occupiers of nearby properties from potential nuisance.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

5. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors - loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities - measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works
- a Construction Traffic Management Plan

Reason: To avoid congestion in the surrounding area and to protect the amenities of the area.

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

6. The development hereby permitted shall not be brought into use until the areas shown on the approved plan drawing no. P-1004 for parking and turning of vehicles has been provided properly laid out, hard surfaced and drained. The space shall be maintained thereafter free of any impediment to its designated use.

Reason: To ensure the provision of adequate vehicular facilities, to avoid congestion on adjoining roads and to protect the amenities of the area.

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

7. The submitted travel plan shall be developed in accordance with advice from The Councils Active Travel Manager and implemented within one month of the first occupation of the additional consulting rooms.

Reason: In order to minimise the use of the private car and promote the use of sustainable modes of transport.

Informatives

1. In arriving at this decision Shropshire Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework, paragraph 38.

2. A sustainable drainage scheme for the disposal of surface water from the development should be designed and constructed in accordance with the Councils Surface Water Management: Interim Guidance for Developers document. It is available in the Related documents section on the councils website at: <https://shropshire.gov.uk/drainage-and-flooding/development-responsibilityand-maintenance/new-development-and-watercourse-consenting/suds-requirements-for-newdevelopments/>

The provisions of the Planning Practice Guidance, Flood Risk and Coastal Change, should also be followed.

Preference should be given to drainage measures which allow rainwater to soakaway naturally.

Connection of new surface water drainage systems to existing drains / sewers should only be undertaken as a last resort, if infiltration techniques are not achievable.

3. The above conditions have been imposed in accordance with both the policies contained within the Development Plan and national Town & Country Planning legislation.

4. THIS PERMISSION DOES NOT CONVEY A BUILDING REGULATIONS APPROVAL under the Building Regulations 2010. The works may also require Building Regulations approval. If you have not already done so, you should contact the Council's Building Control Section on 01743 252430 or 01743 252440.

5. In determining this application, the Local Planning Authority gave consideration to the following policies:

Central Government Guidance:

National Planning Policy Framework

National Planning Practice Guidance

Shropshire Core Strategy polices:

CS3 The Market Towns and Other Key Settlements

CS6 Sustainable Design and Development Principles

CS8 Facilities, Services and Infrastructure Provision

CS13 Economic Development, Enterprise and Employment

SAMDev Plan

MD2 Sustainable Design

Albrighton Neighbourhood Plan 'Light' 2013

Policy ALB3: Provision for a Replacement GP Surgery

Policy ALB11: Design

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