



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 4 September 2012
DIRECTORATE: Regeneration, Enterprise and Planning

HEAD OF PLANNING: Susan Bridge

N/2012/0606: Change of use of part of dwelling to dental surgery at 41 Station Road, Great Billing

WARD: Billing

APPLICANT: Mr G. Darbisi
AGENT: None

REFERRED BY: Cllr. Malpas

REASON: Concerned about increased traffic movements and parking and effect on amenity of the area.

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL** subject to conditions and for the following reason:

The development, by reason of its nature and limited scale, is considered unlikely to neither have any adverse impact on the character of the area, highway congestion nor the amenity of neighbouring properties in accordance with saved policies E19 and B20 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 Planning permission is sought to change the use of part of the dwelling to a dental surgery. Although internal conversion works have already taken place these works do not require planning permission and the dentist use has not yet commenced. It is proposed that 96sq.m would remain as residential floor area and 76 sq.m would be used as a dental surgery. The surgery will consist of an office, waiting room, laboratory

and two operations rooms (one to house x-ray facilities). The proposed opening hours are 9.30 to 17.00 hours, Monday to Friday. The residential section would provide two bedrooms, two living rooms, a kitchen and two bathrooms. There would be an internal door communicating between the two uses.

3. SITE DESCRIPTION

- 3.1 The application site is located on the east side of Station Road, close to the junction with Fishponds Road in an area identified as Primarily Residential in the Northampton Local Plan. The site consists of a single storey dwelling situated on a generous sized plot. The site is accessed from a driveway which leads to areas of hardstanding to the front and rear of the dwelling. To the rear is a detached double garage.

4. PLANNING HISTORY

- 4.1 75/0184 – Erection of bungalow and garage.

5. PLANNING POLICY

5.1 Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

5.2 National Policies:

National Planning Policy Framework

5.3 Northampton Borough Local Plan

E19 – Implementing Development

B20 – Working from Home

5.4 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **NBC Access Officer** - no comments.

- 6.2 **NBC Public Protection** – no objections to the proposal but request conditions regarding noise and opening hours to protect the amenity of surrounding residential properties.

- 6.3 **Highway Authority** – No objections.

- 6.4 **Billing Parish Council** – express concerns as follows:
- Dental equipment has already been installed and people have commented that they have witnessed what appears to be a dentist and dentist assistants working on patients
 - Parking appears to be totally inadequate. As there is always far more than one patient in a dental surgery at any one time plus staff vehicles, the Council feel that parking will inevitably take place on Station Road. As this is close to the junction with Fishponds Road this will cause a hazard.
 - Do not feel that sufficient neighbour consultation has been carried out.
 - No mention of how dental/ clinical waste is to be disposed of or how drugs will be securely stored.
 - Accept there is a need for a dental practice within the village but do not consider that this is an ideal location.
- 6.5 **9 Station Road** - objects for the following reasons:
- Considers dental surgery use is unsuitable in a quiet residential area.
 - The residents of 41 Station Road have spoilt a quiet residential area by neglecting the garden of their property and leaving rubbish in view. Consider the use of the premises as a dental surgery will have a further detrimental effect on nos. 5-11 Station Road.
 - States there is nowhere for cars to park on the premises which will lead to on-street parking or traffic travelling along the adjacent private drive looking for somewhere to park.
 - A dental surgery in a residential village is not in keeping with the local area.
 - Consider a dental surgery is not conducive to the high tax band of surrounding properties

7. APPRAISAL

Main Issues

- 7.1 The principal considerations of this proposal are the impact on the character and appearance of the area, the impact on the amenity and living conditions of neighbouring properties and the impact on highway safety.

Policy Context

- 7.2 The National Planning Policy Framework was introduced in April 2012. In respect of delivering sustainable development the framework states that Local Planning Authorities should facilitate flexible working practices such as the integration of residential and commercial uses within the same unit.
- 7.3 Within the Northampton Local Plan the site is identified as falling within a primarily residential area. Within such areas the impact of any

proposed commercial activity on surrounding residential properties has to be considered. The following policies are relevant and state as follows:

- **E19** – Planning permission for residential, business or commercial development proposals will only be granted where any adverse effect or impact of the development is allowed for or mitigated and where the infrastructure, services and amenities made necessary by the development are in existence or will be provided by the developer or other agency.
- **B20** – Planning permission will be granted for a change of use from residential to an employment use to enable homeworking to be carried out provided that:
 - A) The home working is carried out by those who live in the same residential unit
 - B) There is no loss of amenity to neighbouring residents
 - C) The use reverts to residential once the home working ceases
 - D) There is no loss of a residential unit

Site and Surroundings

- 7.4 The applicant's property is a single storey detached dwelling with a detached double garage to the rear. It is situated on a generous plot with areas of hardstanding providing off-street parking for several vehicles to the front and rear of the dwelling. To the north of the site is a private driveway which leads to a cul-de-sac of 4 residential properties (5-11 Station Road) located to the east of the site. Beyond the private drive are further residential properties situated in Station Road / Shepperton Close. No. 11 Station Road sides onto the rear / eastern site boundary. There is a distance of approximately 22 metres between this and the application dwelling. A 2m high fence forms the boundary with this property. To the south of the site is the boundary which faces onto Fishponds Road and to the west is Station Road. These boundaries are formed by low fencing and tree / shrub planting which largely obscure the application site from street view.

Character and Appearance

- 7.5 The premises are residential in character and appearance. The external appearance of the premises will not change as a result of the development.

Impact on Neighbours

- 7.6 Due to the separation distance between the application site and neighbouring dwellings it is not considered that the proposal will unduly impact on neighbours. The use would be restricted to the inside of the existing building and it is proposed that patients will park at the front of the premises and use the front entrance to access the dental surgery.

There is off-street parking at the premises for four or five cars. As there will only be one dentist working at the premises the number of patients will be restricted proportionately. It is considered that there is sufficient room on the site to accommodate vehicle parking for both staff and visitors.

- 7.7 Due to the relatively low intensity of the proposed use, it is considered that the impact on the amenity of surrounding properties would be limited. This is assisted by the fact that the applicant intends to operate the business between 9.30 am and 5.00 pm Monday to Friday. A condition is recommended to limit the dentist use to these times. In order to control future use of the premises in the interests of neighbour amenity a further condition to limit the use to a dental use only and to the applicant only is also recommended.

Highway Issues

- 7.8 In respect of highway issues, no objections have been received from the Highway Authority and it is considered that given the relatively low number of visitors to the site and available off-street parking, no significant impact would result in this regard.

Other matters

- 7.9 Objections have been received concerning the existing neglected state of the premises. Whilst this is noted it is not a planning consideration relevant to the determination of the current application. An objector has also stated that they had experienced disturbance from the premises. However as the dental surgery use has not started it cannot be attributed to this. As discussed above, it is considered that whilst there may be some impact from the dental surgery use any increase in activity would be limited and it would be difficult to sustain refusal on this basis.

8. CONCLUSION

- 8.1 It is considered that, subject to the imposition of conditions, the site is acceptable for a combined dental surgery/residential use. The proposal would have an acceptable impact on the character of the area, would not adversely affect the amenity of neighbouring properties and complies with Development Plan Policy.

9. CONDITIONS

(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 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

(2) Only that part of the premises shown on the approved floor plan shaded blue shall be used as a dental surgery and this area shall be used for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In the interests of residential amenity in accordance with Policies E19 and B20 of the Northampton Local Plan.

(3) This permission shall enure for the personal benefit of Mr. Giuseppe Darbisi for the use of the premises as a dental surgery (Class D1) and shall not enure for the benefit of the land. If the applicant ceases to occupy the dwellinghouse at 41 Station Road, Great Billing or the dental surgery hereby approved, the use of the building which is the subject of this permission shall revert back to a single dwellinghouse.

Reason: The development proposed would not normally be appropriate in this location but is allowed solely on the personal grounds of the applicant and that car parking associated with the proposed use could be accommodated within the curtilage of 41 Station Road, Great Billing and in the interests of the amenity of the locality in accordance with Policies E19 and B20 of the Northampton Local Plan.

(4) Details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the premises being used for the permitted purpose and shall be retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E19 of the Northampton Local Plan.

(5) The premises shall be open only between the hours of 9:30 and 17:00 from Mondays to Fridays and at no time on Saturdays, Sundays or Bank or Public Holidays.

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with Policy E19 of the Northampton Local Plan.

(6) A scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the sources of noise on the site whether from fixed plant or equipment or noise generated within the building and the provisions to be made for its control and the approved scheme shall be implemented prior to the commencement of the use hereby permitted and retained thereafter.

Reason: To protect the amenities of nearby occupants from noise and vibration in accordance with Policy E19 of the Northampton

10. BACKGROUND PAPERS

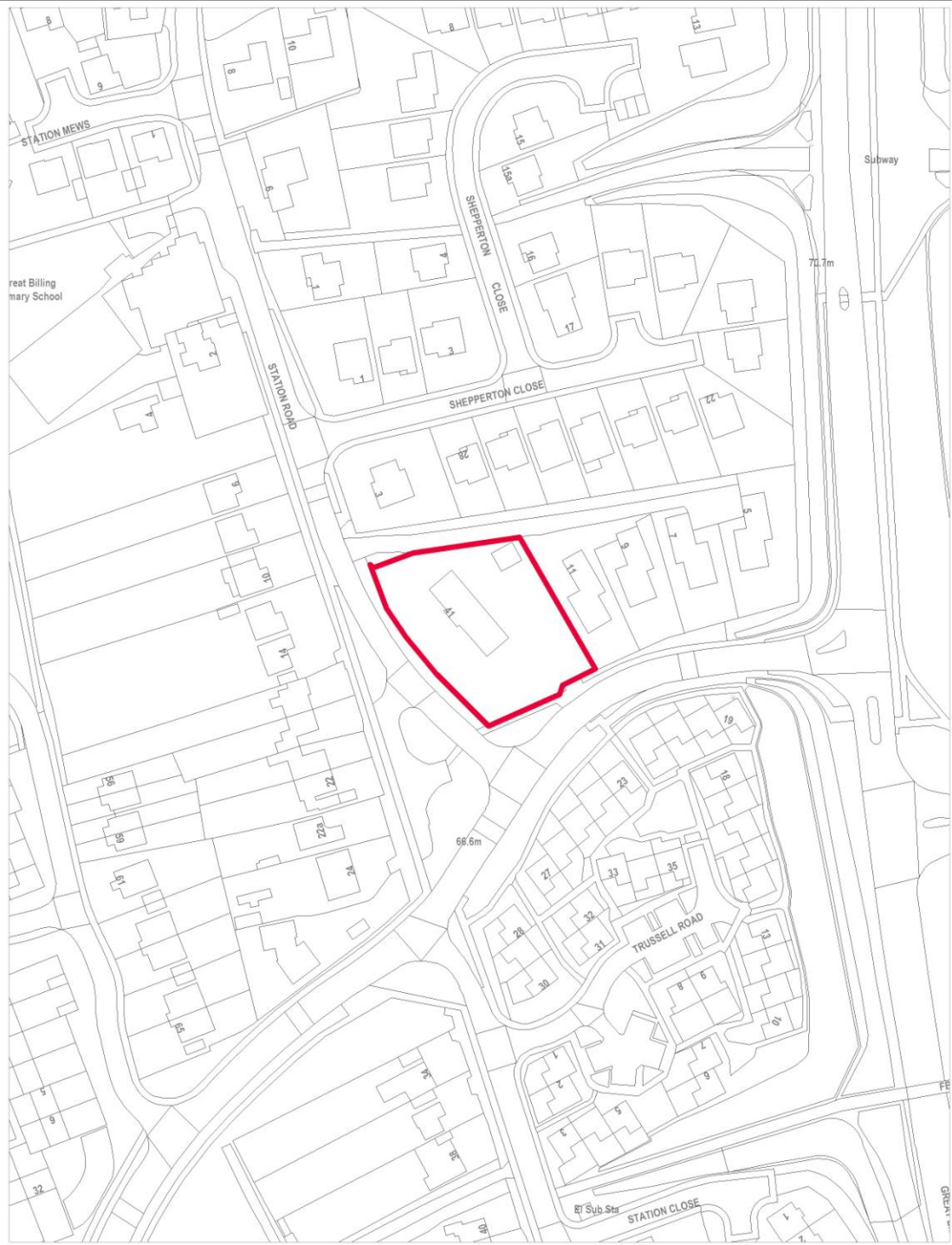
10.1 75/0184 and N/2012/0606.

11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Name: BG
 Date: 23rd August 2012
 Scale: 1:1250
 Dept: Planning
 Project: Site Location Plan

Title
41 Station Road

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