

## **Development Control Committee 7 October 2020**

### **Planning Application DC/20/0784/FUL – Doctors Surgery, 10 The Chase, Stanton**

**Date registered:** 15 May 2020                      **Expiry date:** 10 July 2020  
EOT 30 October 2020

**Case officer:** Connor Vince                      **Recommendation:** Approve application

**Parish:** Stanton                                      **Ward:** Stanton

**Proposal:** Planning Application - 1.5 storey rear extension to accommodate 4no. GP Consulting Rooms, Treatment Room, Interview Room and associated administrative and storage areas (following removal of existing portacabin)

**Site:** Doctors Surgery, 10 The Chase, Stanton

**Applicant:** Sandra Butler - Stanton Surgery

**Synopsis:**

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

**Recommendation:**

It is recommended that the Committee determine the attached application and associated matters.

**Contact Case Officer:**

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## **Section A - Background:**

**The application was considered at the West Suffolk Development Control Committee meeting on 5 August 2020. Members at the meeting resolved that they were 'minded to' refuse planning permission contrary to the officer recommendation of approval. At this point, the risk assessment protocol was invoked requiring the further reporting of this matter before a decision is made.**

**The reason why Members resolved that they were 'minded to' refuse the application was that insufficient parking provision is provided at the site and that parking problems are exacerbated by surgery users parking on the neighbouring streets, primarily Parkside and Grundle Close, which is unrestricted. Therefore, highway safety was also noted as being a concern by Members. The proposal was considered by the Committee to be contrary to the provisions as detailed within Policies DM2 and DM46.**

**The purpose of this report is to provide a risk assessment for Members in accordance with the Decision Making Protocol, as well as a more detailed analysis of DM2 and DM46 and its interpretation, The risk assessment reports sets out the potential risks that might arise should planning permission be refused.**

**The previous Officer report for the 5 August 2020 meeting of the Development Control Committee is included as Working Paper 1 to this report. Members are directed to this paper for details of the site and development, summaries of consultation responses and neighbour representations, and for the officer assessment of the proposal.**

### **Proposal:**

1. Please refer to working paper 1 for a description of the proposal.

### **Application supporting material:**

2. Please refer to working paper 1 for a description of the supporting material.

### **Site details:**

3. Please refer to working paper 1 for site details.

### **Planning history:**

4. Please refer to working paper 1 for planning history.

### **Consultations:**

5. Please refer to working paper 1 for a summary of consultation responses.

### **Representations:**

6. Please refer to working paper 1 for representations received. However, since the August Development Control Committee, two letters of support from local residents residing at 9 Duke Street and 42 Sturgeon Way, Stanton, have been received and are summarised as follows:
  - Extension will contribute positively to the provision and quality of services provided by the Surgery.
  - Additional patient capacity required due to the temporary consent for the portacabin expiring on 3 October 2020.
7. A petition with 543 signatures has also been received on behalf of Stanton Surgery, also submitted to Stanton Parish Council. The full comments of the petition can be viewed online. The comments received are summarised as follows:
  - Extension will contribute positively to the provision and quality of services provided by the Surgery.
  - Extension is required by the surgery as a result of pressures to maintain patient capacity.
  - Potential adverse impacts associated with refusal of the extension regarding loss of service provided by the Surgery.
  - Positive impacts the Surgery has on the local community

**Policy:**

8. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new council by regulation. The Development Plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies document (which had been adopted by both Councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.
9. Please refer to working paper 1 for a list of policies and guidance that have been taken into account in the consideration of the application.

**Other Planning Policy:**

10. National Planning Policy Framework (2019)
11. The NPPF was revised in February 2019 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2019 NPPF that full weight can be attached to them in the decision making process.

## **Officer Comment:**

12. Please refer to working paper 1 for the officer assessment of the proposals.

## **Section B - Update**

13. Since the last Development Control Planning Committee on 05.08.2020, Stanton Parish Council have submitted a further consultee response registering their support of the proposal.

14. Two further letters of representation have also been received, as detailed above.

## **Section C – Officer Comment**

15. The purpose of this report is to advise Members of the risks associated with the 'minded to' resolution to refuse planning permission for the development proposal, having regard to the accordance with the development plan and the officer recommendation to approve planning permission. For the reasons set out in this report it remains officers' recommendation that permission be approved. If Members remain minded to refuse the application, they must be satisfied that any risks associated with doing so have been properly considered.

16. Members will recall that the previous officer recommendation was to approve planning permission as the proposal is judged to meet the provisions of local and national policy. As proposed it is not intended for staff numbers and patient numbers to increase as part of the proposed extension.

17. It is noted that the car parking provision at the site will remain unchanged, as reflected in the proposal. Whilst the number of specifically named 'consulting rooms' as detailed on the proposed plans will remain unchanged, the application proposes to add 4 additional rooms that have the flexibility to be used as consulting rooms. These are the two treatment rooms, interview room and meeting room as detailed on the proposed plans. However, whilst the parking provision is insufficient, as identified within Working Paper 1, and when assessed against the figures expressed in the Suffolk Parking Standards, it must be noted that this figure as provided by the Suffolk Parking Guidance is indicative. It is also noted that the internal arrangement and utilisation of the aforementioned consulting rooms is the responsibility of Stanton Surgery, with any future rearrangement of the internal layout of the surgery permissible without the need for planning permission, including the potential for an intensification of the use as a consequence.

18. The Highway Authority have been further consulted following the conclusions of the 5<sup>th</sup> August's Development Control Committee after Members were minded to refuse the application on parking and highway safety grounds, and as a result of the greater displacement of cars onto the highway. It was identified that the issues raised are hypothetical parking and highway safety issues. The Highway Authority remain of the view that, as a result of the extension, thoughtless and/or dangerous parking could occur now, or in the future, and which may result in an unacceptable highway risk, but this is difficult to determine at this stage.

It should also be noted, notwithstanding further discussion by Officers with the Highway Authority following the meeting on 5<sup>th</sup> August, that SCC maintains its stance in relation to this proposal and no objection is forthcoming on the grounds of adverse impacts arising from this proposal upon matters of highway or pedestrian safety. The recommendation to approve the application is therefore supported materially with the absence of an objection from Suffolk County Council's Highway Authority. As such, although it has been noted the provision of car parking spaces at the site is insufficient, absent any objection from the Highway Authority, the application is considered to be compliant with Policies DM2 and DM46.

19. It is also important to note the positive policy support for the provision of such services. Policy CS3 of the St. Edmundsbury Core Strategy states that proposals for new development must create and contribute to a high quality, safe and sustainable environment. Aspiration 22 of the Rural Vision 2031, which supports the aims of Policy RV1 in securing sustainable development, also supports the retention and promotion of health services in villages such as Stanton. Development such as the provision of an extension to an existing surgery building will need to be in accordance with policy CS3 and RV1, as well as DM2 and is generally acceptable provided that the proposal respects the character and appearance of the immediate and surrounding area and providing that there is not an adverse impact upon the residential amenity, highway safety or important trees within the street scene. Along with CS3 and RV1, DM2 requires development to conserve and where possible, enhance the character and local distinctiveness of the area.
20. Policy DM41 concerns community facilities and services and states that the provision and enhancement of community facilities and services will be permitted where they contribute to the quality of community life and the maintenance of sustainable communities. This proposal is considered to comply with Policy DM41 as the proposed extension will be providing four permanent accommodation for consulting rooms, a treatment room, interview room and associated administrative and storage areas, therefore enhancing the provision of healthcare within the local community. Members are advised that in the opinion of officers this is a factor which weighs very heavily in favour of approval.
21. Having received a statement from The West Suffolk Clinical Commissioning Group (WSCCG), it is noted that the NHS comply with Health Building Note (HBN) guidance which recommends 1 space per 2 Medical staff, 1 space per 3 non-medical staff and 2 spaces for each consultation, examination, treatment and therapy room. On this basis, Officers and representatives of Stanton Surgery acknowledge the current arrangement of 13 spaces does not meet the HBN recommendation of 24 spaces, nor the Suffolk Parking Guidance of 40 spaces. Unfortunately, this is not an unusual situation across WSCCG Primary Care estates due to the nature of the premises in which services are offered, but at the same time the necessity for said premises to be located very close to the communities they serve.
22. As set out within the WSCCG statement, if the extension for Stanton Surgery does not go ahead, this will have a detrimental impact on the 6,227 patients of the surgery and may ultimately mean the patient list is closed. Patient list closure would then impact local surgeries who are also over capacity. Furthermore, as the planning permission on the portacabin

(DC/17/1419/FUL) ceases on 3<sup>rd</sup> October this year, Stanton Surgery may also have to remove this clinical space and divert some existing patients to other local surgeries who are also at capacity.

23. The WSCCG have also commented on discussions made at August's Development Control Committee by Members regarding the potential relocation, or construction of a new 'health and community' hub. The WSCCG have stated they have been involved in several conversations over the last 12 months with both Councillors and Local Officers of the Suffolk County Council Property team. However, whilst the WSCCG has always acknowledged the Council's proposals, they have maintained throughout the discussions that we continue to support Stanton Surgery's current estate scheme through the business case process.
24. The statement provided by the West Suffolk Clinical Commissioning Group is included as Working Paper 2 to this report.
25. A statement has also been received from representatives of Stanton Surgery (please refer to Working Paper 3). Within the statement, it is acknowledged that whilst parking provision is insufficient at the site in relation to both the indicative figure identified by Suffolk Parking Guidance and Health Building Note guidance, it is further acknowledged that discussions are ongoing between the surgery and third-parties regarding parking arrangements. A formal arrangement to utilise the car park at 12 The Chase (Stanton Community Health Centre) is being discussed, with on-road parking, as highlighted by Suffolk County Council – Highways, being available on The Chase. Furthermore, it is noted that due to recent events, the type of service(s) offered by Stanton Surgery is evolving to incorporate further online consultations as opposed to in-person at the Surgery. As a result, in-traffic and associated parking concerns is expected to reduce.
26. Members will note therefore the balance of matters discussed above. The expansion of the site may very well add pressure to an existing parking situation that does not at present meet the indicative guidelines within the Suffolk Parking Standards. This inability to meet these standards is a matter which weighs against the scheme. This harm however is reduced significantly by the formal consultation response of the County Council as Highway Authority, which maintains that the proposal will not lead to any matters of highway or pedestrian safety that would be sufficient to justify a refusal of planning permission. To reiterate therefore, and despite further discussion with SCC following the previous DCC meeting, Suffolk County Council as Highways Authority does not object to this application on the grounds of highway or pedestrian safety.
27. Members must therefore be mindful of the very clear demonstration of the ample and clearly positive benefits arising from the provision of this enhanced accommodation, in relation to the ability of the surgery to meet patient needs and to expand the medical officer at the site. These are set out in detail in the preceding section and are considered to be very substantial benefits and which weigh very heavily in favour of approval and are reiterated within the provisions of Policy DM41, which states "The provision and enhancement of community facilities and services will be permitted where they contribute to the quality of community life and the

maintenance of sustainable communities". Therefore, Officers consider the application sufficiently complies with the provisions of DM41.

28. The view of officers therefore, is that these community benefits clearly outweigh the modest harm arising from the failure of the site to meet the indicative parking standards.

Risk Assessment:

29. Members are reminded of the importance of ensuring that reasons for refusal should be able to stand up to scrutiny on the planning merits of the application and be supported by robust evidence. Risks associated with reasons that fail to stand up to scrutiny are appeals, appeal costs, legal challenge and consequential reputational impacts on the authority. It is important, however, to distinguish these matters as not constituting a material consideration that should be relied on as part of the decision making assessment.
30. Nonetheless, if members remain minded to refuse this application then the following is suggested as an articulation of the reason offered by the Committee on 5<sup>th</sup> August.

**The application fails to provide sufficient car parking spaces at the site and, as a result of this, and the increased accommodation provided, and from the intensification of the use of the site, could contribute to the displacement of vehicles onto the unrestricted, residential roads of The Chase, Parkside and Grundle Close, further leading as a consequence to increases in unsafe and dangerous parking, proving prejudicial to matters of highway and pedestrian safety. Accordingly, the development cannot be considered to be in accordance with the requirements of Policies DM2 and DM46 of the Joint Development Management Policies Document (2015). The inadequate car parking provision and the consequential highway safety implications arising therefore fails to provide a safe and suitable access to the site for all users and is therefore, contrary to the NPPF, notably para 108c and also to policy DM2 (I), which states that all new developments must produce designs, in accordance with standards, that maintain or enhance the safety of the highway network.**

#### **Section D - Conclusion:**

31. For the reasons outlined above and also set out within the original report to Development Control Committee, Officers consider that the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework. The clear benefits associated with the proposed single storey extension to the provision of medical services to the residents of Stanton and adjacent villages is observed to clearly outweigh the adverse impacts associated with the insufficient provision of parking spaces at the site. The proposal will not result in the loss of parking spaces at the site, with alternative modes of transport and the provision of service changes to encourage less traffic to the site.

## Recommendation:

32. It is recommended that planning permission be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun not later than 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

<b>Plan type</b>	<b>Reference number</b>	<b>Date received</b>
Location Plan	4735-0100 P01	14 May 2020
Existing Elevations	4735-0400 P01	14 May 2020
Existing Floor Plans	4735-0300 P01	14 May 2020
Proposed Elevations	4735-0410 P01	14 May 2020
Proposed Floor Plans	4735-0310 P01	14 May 2020
Proposed Block Plan	4735-0110 P01	14 May 2020
Site Block Plan	4735-0100 P01	14 May 2020
Sections	4735-0500 P01	14 May 2020
Topographical Survey	25060EA-01	14 May 2020
Application Form		14 May 2020
Design & Access Statement		14 May 2020

Reason: To define the scope and extent of this permission.

3. The development hereby permitted shall be constructed entirely of the materials detailed on the submitted plan – application form.

Reason: To safeguard the character and appearance of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

4. The site demolition, preparation and construction works shall be carried out between the hours of 08:00 to 18:00 Mondays to Fridays and between the hours of 08:00 to 13:30 Saturdays and at no time on Sundays or Bank Holidays without the prior written consent of the Local Planning Authority.

Reason: To protect the amenity of the area in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

5. The use shall not commence until the area within the site shown on Drawing No. 4735-0110 P01 for the purposes of secure cycle storage have been provided and thereafter that area shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway, in accordance with policy DM2 and DM46 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

6. No patients shall be on site within the extension hereby approved outside of the following hours:

Monday - Friday – 08:30 – 18:30

Reason: To minimise the impact of the development on the locality in the interests of amenity in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

**Documents:**

- All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/20/0784/FUL](#)
- Working Paper 1 – Committee report 5 August 2020
- Working Paper 2 – West Suffolk Clinical Commissioning Group – Statement – 17 August 2020
- Working Paper 3 – Stanton Surgery Supporting Statement – 9 September 2020