

PLANNING APPLICATION NUMBER:P12/1239

Type of approval sought	Full Planning Permission
Ward	Halesowen South
Applicant	Dr A.P. Najran, Oakleigh Dental Practice
Location:	DENTAL SURGERY, 103, SPIES LANE, HALESOWEN, B62 9SS
Proposal	SINGLE STOREY FRONT EXTENSION AND NEW FRONT STEPPED ACCESS. FIRST FLOOR AND TWO STOREY REAR EXTENSION
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

- 1 The application site consists of a dental surgery which has been provided within a converted detached dwelling on the edge of the small local shopping area located at the junction of Spies Lane and Kent Road.
- 2 The building has been extended previously with a conservatory and single storey extension to the rear.
- 3 There is a parking area to the front of the site, which has room for between two and three cars. Vehicles are not able to enter and leave the site in forward gear.
- 4 To the east of the site is an extended semi detached dwelling (105 Spies Lane), and to the other side is a vacant site which has planning permission for a small supermarket. Opposite the site on the other side of Spies Lane is a block of 1990s retirement flats (Pegasus Court). There is also a dwelling (No 100 Kent Road) at the rear.

PROPOSAL

- 5 The planning application involves the provision of a single storey extension to the front to provide an extended office area, a front porch extension with modified steps. To the side will be a modified ramped access.
- 6 To the rear a two storey extension is proposed, on the site of the existing conservatory. The extension would project out 4m, from the original rear wall. The extension would be finished in brick with tile to the roof, and would provide an additional consulting room at first floor level and a staff room to the ground floor.
- 7 The applicant has provided additional supporting information with the applicant advising the additional larger treatment room is required to accommodate specialist apparatus for implant surgery and also the amount of people that need to be present for the procedure. During the implant surgery the patient is sedated and left in the room for the drugs to take effect. The surgery procedure takes about 2 to 3 hours and then the patient is left in the room for about an hour to recover to preserve the dignity and privacy of patients after certain treatments. The implant surgery is not performed on a daily basis.
- 8 The applicant has also provided details of the occupancy of the existing treatment rooms at the site, demonstrating that they are not all used all week.
- 9 The applicant has stated that residential units in the area generally have three off road parking spaces and that a number of patients walk or take the bus to the site. They also state that the surgery is open between 0900 and 1700hrs.

HISTORY

APPLICATION	PROPOSAL	DECISION	DATE
82/50844	Change of use of first floor flat into Dental surgery.	Granted	07/06/82
96/51020	Erection of conservatory to rear of existing dental practice	Granted	15/08/96
P12/1012	Display of free standing non illuminated sign (retrospective)	Granted	17/10/2012

PUBLIC CONSULTATION

- 10 4 letters of objection have been received (including two from same source), following consultation with 47 adjoining neighbours. Main issues raised:
- On street parking would increase
 - Spies Lane is a busy road
 - Only 3 off road spaces
 - Employees park on street (neighbour counted 4 on one day)
 - Front extension will reduce parking
 - Applicant is seeking to take on NHS patients, at present only private
 - Visitors to flats opposite are unable to park
 - Rear extension will lead to overlooking
 - Rear extension will lead to loss of light
- 11 In addition a 44 name petition has been received objecting to the application due to the problems with parking in the area, including parking on the footway and on the verge.

- 12 The applicant has submitted a letter of support and a set of 6 statements also in support. Main issues raised:
- Improved Access
 - Present building difficult to use for people with mobility problems
 - Parking is a problem but can be improved
 - Needs modernisation
 - High quality care at surgery
- 13 A 12 name petition in support of the application also has been received, advising that the development would improve access to the surgery, provide a better environment to staff and provide vocational training.

OTHER CONSULTATION

- 14 Group Engineer (Development): Has significant concerns regarding the parking situation in Spies Lane and has noted that a number of vehicles from staff and patients are regularly parked in Spies Lane near the busy roundabout junction. He has some sympathy with the objections received from residents regarding the parking issue.

However, the applicant provided information that the additional consulting room would only provide specialist treatment for implant surgery and would be used for no more than generally 2 to 3 patients per day and that no additional staff will be at the site.

If the development is carried out in accordance with the details provided by the applicant then the Group Engineer (Development) would raise no objection.

- 15 Head of Environmental Health and Trading Standards – No Objection, subject to a land contamination condition.

RELEVANT PLANNING POLICY

- National Planning Guidance
National Planning Policy Framework 2012
- Black Country Core Strategy (BCCS) 2011
CSP2 Development Outside the Growth Network
DEL1 Infrastructure Provision
DEL2 Managing the Balance Between Employment Land and Housing
TRAN2 Managing Transport Impacts of New Development
ENV 2 Historic Character and Local Distinctiveness
ENV 8 Air Quality
- Saved Unitary Development Plan (UDP) 2005
DD1 Urban Design
DD4 Development in Residential Areas
CS3 Community Facilities
- Supplementary Planning Guidance/Documents
Planning Obligations Supplementary Planning Document 2011
Parking Standards Supplementary Planning Document 2012
Access for All Supplementary Planning Document
PGN 12: The 45 degree code
PGN 17: House extension design guide

ASSESSMENT

- 16 The main issues are
- Policy
 - Design
 - Neighbour Amenity
 - Parking
 - Access
 - Planning Obligations

Policy

- 17 There is no specific policy that deals with such planning application, with the most relevant policy being CS3, Community Facilities of the Saved Dudley Unitary Development Plan (UDP), which states that applications will be supported where they meet a recognised need, are located within the community they serve, are accessible by public transport and would not adversely affect the character or amenity of the nearby area.
- 18 In addition the locality is mostly residential in nature and therefore saved Policy DD4 – Development in Residential Areas the UDP is of relevance. The policy states that development should have no adverse impact on character or residential amenity and should have no detrimental impact on highway safety and should provide sufficient parking.
- 19 Policy TRAN2 – Managing Transport Impacts of New Development of the Black Country Core Strategy, states that planning permission should not be granted for development where proposals are likely to have significant transport implications.

Design

- 20 The existing building retains a significant amount of its interwar residential character, for which the building was used for prior to becoming a dental surgery, and generally reflects the wider character of the area with medium to dark red brick and plain tile roof.
- 21 The extensions are considered to be appropriate in terms of materials which would match the existing. In respect of the front extensions the design is considered to be appropriate in context and would be subservient.

- 22 The two-storey rear extension would be comparatively prominent from Kent Road, and somewhat exacerbated by the lack of windows to the flank elevations. However, this is not considered to constitute a reason for refusal, and once the proposed supermarket is constructed such views would be reduced.

Neighbour Amenity

- 23 The closest neighbours to the application site are No. 105 Spies Lane to the east and No. 100 Kent Road to the rear. The site to the west is current vacant, although it does have planning permission for a small supermarket.
- 24 In respect of No.100 Kent Road, the back to back distance is in excess of the 22m required by PGN 17 and therefore no concerns are raised.
- 25 The relationship with No. 105 is more complicated in that it will be closest to the proposed two storey extension, and therefore the potential impact on light and privacy has to be considered.
- 26 In respect of privacy no concerns are raised in that no windows would overlook the site. With regard to light there are a number of habitable rooms to the rear of the dwelling. However, these would not be adversely impacted upon, in that the extension is set in 3m from the boundary and also complies with the 45 Degree Code (PGN 17). A further form of mitigation is the existing high hedge to the boundary.
- 27 Therefore in conclusion the proposed development would not have an adverse impact on amenity.

Parking

- 28 Table 9, of the revised Parking Standards indicates that the maximum parking standard for medical facilities is one space per member of staff plus two spaces per treatment room. The application indicates there are seven staff and therefore the parking standards requires a maximum of 15 spaces.
- 29 The applicant is not proposing to provide any additional parking above the three spaces currently provided. This is a shortfall of 12 spaces from the maximum standard. However this is in accordance with the Councils maximum standards parking policy.
- 30 However, the site is located next to a busy roundabout junction and is a popular crossing point with pedestrians. Highways officers have previously observed parking in the adjacent Highway, blocking footways, pedestrians, impeding the free flow of traffic and creating a potential road safety hazard. It is noted that objections to the application have also raised similar parking concerns.
- 31 The proposal could potentially exacerbate the existing parking situation created by visitors to the surgery and the Group Engineer (Development) therefore initially raised fundamental Highway safety concerns.
- 32 The proposed steps would encroach into part of the parking area to the front of the site. However, the fore court would still maintain a depth of around 7m which is sufficient to prevent parked vehicles from overhanging the footway.
- 33 However, the applicant has provided supporting evidence stating that the additional larger treatment room is required to accommodate specialist apparatus for implant surgery and also the amount of people that need to be present for the procedure. The surgery procedure takes about 2 to 3 hours and then the patient is left in the room for about an hour to recover. It also understood that the implant surgery given in the specialised treatment room is not performed on a daily basis.

- 34 On the basis of the supporting information put forward by the applicant about how the additional consulting room would be operated, (i.e. it would not be used as regularly as the other consulting rooms, and when it is used the number of patients visiting in one day would be limited to no more than two or three due to the length of procedure and due to pre and after care) the Group Engineer (Development) would be prepared to support the application subject to the imposition of a condition controlling the use of the additional supporting room.
- 35 Having given careful consideration it is considered that such a condition would fail to meet the tests in Circular 10/95 due to the difficulty in being able to enforce the condition.
- 36 Therefore, on that basis the additional specialist consulting room could be operated as a general consulting room which could result in additional parking demand for the site.
- 37 However the applicant has stated that the room would be used as a specialist treatment room and there is no reason to doubt this. In addition the matter of patient care and the ability to provide a higher level of treatment have also been taken into account and on balance the proposal is considered to be acceptable, despite it not being possible to restrict the future use of the additional treatment room.
- 38 However, it will be possible to control the use of the proposed ground floor staff room to prevent it from being used as consulting room in the future as this condition would be enforceable and would meet the tests set out in Circular 10/95.

Access

- 39 The proposed replacement stepped access to the main entrance is in compliance with the Access for All Supplementary Planning Document.

- 40 The provision for an additional ramped access to the main entrance of the property has not been considered within the Design and Access Statement. However, taking into account the significant difference in levels, the fall of the ground from the back of pavement to the main entrance and the limited space to the front (currently used for car parking), it is considered that the installation of a fully compliant ramp would be unreasonable in this instance.
- 41 The Access Officer notes a 'modified ramp' has been proposed, leading to a side elevation entrance/reception door. Further details are required to ensure that this ramp will be compliant. If the 'modified ramp' is designed to a gradient of 1 in 21 or less, then none of the usual ramp specifications (handrails etc) would be required. However, the applicant has advised the ramp will not be compliant and therefore hand rails will be required. This matter would be controlled through the building regulations process.

Planning Obligations

- 42 Black Country Core Strategy (BCCS) Policy DEL1 'Infrastructure Provision' sets out the adopted policy framework for Planning Obligations within Dudley and the Planning Obligations SPD provides further detail on the implementation of this policy; these policy documents were prepared in accordance with national legislation and guidance on planning obligations.
- 43 Policy DEL1 requires all new developments to be supported by sufficient on and off-site infrastructure to serve the development, mitigate its impact on the environment, and ensure that the development is sustainable and contributes to the proper planning of the wider area.
- 44 The obligations potentially triggered according to the Planning Obligations SPD are:
- Air Quality Enhancement
 - Nature Conservation
 - Transport Infrastructure Improvements

45 In determining the required planning obligations on this specific application the following three tests as set out in the Community Infrastructure Levy (CIL) Regulations, in particular Regulation 122, have been applied to ensure that the application is treated on its own merits:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development;
- (c) fairly and reasonably related in scale and kind to the development.

46 Following consideration of the above tests the following planning obligations:

On-Site Provision (to be secured by condition)

- Air Quality Enhancement (Electric Vehicle Charging Point)

47 It is considered that these contributions meet the necessary tests as stated above in that they contribute to the delivery of a sustainable development, are being provided directly on the development site itself and are deemed to be in scale and kind to the proposed development.

48 This development complies with the requirements of BCCS Policy DEL1 and the Planning Obligations SPD.

CONCLUSION

49 The proposed front extensions are considered to be of acceptable design and cause no harm to neighbour amenity. Whilst there is deficiency of parking at the site which can lead to overspill parking on the highway the applicant has provided evidence that additional consulting room would be used on less than regular basis and when used would generate few additional trips. . Consideration has been given to policies CSP2 Development Outside the Growth Network DEL1 Infrastructure Provision DEL2 Managing the Balance Between Employment Land and Housing TRAN2 Managing Transport Impacts of New Development ENV 2 Historic Character and Local Distinctiveness and ENV 8 Air Quality of the Black Country

Core Strategy and saved policies DD1 Urban Design DD4 Development in Residential Areas and CS3 Community Facilities of the Dudley Unitary Development Plan.

RECOMMENDATION

That planning permission is GRANTED subject to the following conditions:

Reason for approval

The proposed front extensions are considered to be of acceptable design and cause no harm to neighbour amenity. Whilst there is deficiency of parking at the site which can lead to overspill parking on the highway the applicant has provided evidence that additional consulting room would be used on less than regular basis and when used would generate few additional trips. . Consideration has been given to policies CSP2 Development Outside the Growth Network DEL1 Infrastructure Provision DEL2 Managing the Balance Between Employment Land and Housing TRAN2 Managing Transport Impacts of New Development ENV 2 Historic Character and Local Distinctiveness and ENV 8 Air Quality of the Black Country Core Strategy and saved policies DD1 Urban Design DD4 Development in Residential Areas and CS3 Community Facilities of the Dudley Unitary Development Plan.

The decision to grant planning permission has been taken with regard to the policies and proposals in the adopted Dudley UDP (2005) and to all other relevant material considerations.

The above is intended as a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report.

Informative

In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues

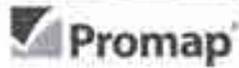
where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Block Plan, Plan 64/12 Sheets 1 to 5
3. The ground floor staff room shall be used for that purpose only and shall not be used for any purposes, unless otherwise agreed in writing by the Local Planning Authority.
4. No development shall commence until details of secure cycle parking facilities in accordance with the Council's parking standards have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall thereafter be provided in accordance with the approved details prior to first occupation of the development, shall be made available at all times and be maintained for the life of the development.
5. No development shall commence until details for the provision of external electric charging points have been submitted to and approved in writing by the Local Planning Authority. The Electric Charging point(s) shall thereafter be provided in accordance with the approved details prior to first occupation of the development and be maintained for the life of the development.
6. The facing materials to the extensions shall match those of the existing building.
7. No development shall begin until an assessment of the risks posed by any ground gases or vapours has been submitted to and approved by the Local Planning Authority. Such an assessment shall be carried out in accordance with authoritative UK guidance.
8. Where the approved risk assessment (required by Condition 7) identifies ground gases or vapours posing unacceptable risks, no development shall begin until a detailed scheme to protect the development from the effects of such contamination has been submitted to and approved by the local planning authority.
9. Unless otherwise agreed in writing with the LPA, the approved scheme (required by Condition 8) shall be implemented and a verification report submitted to and approved by the LPA, before the development (or relevant phase of the development) is first occupied/brought into use.

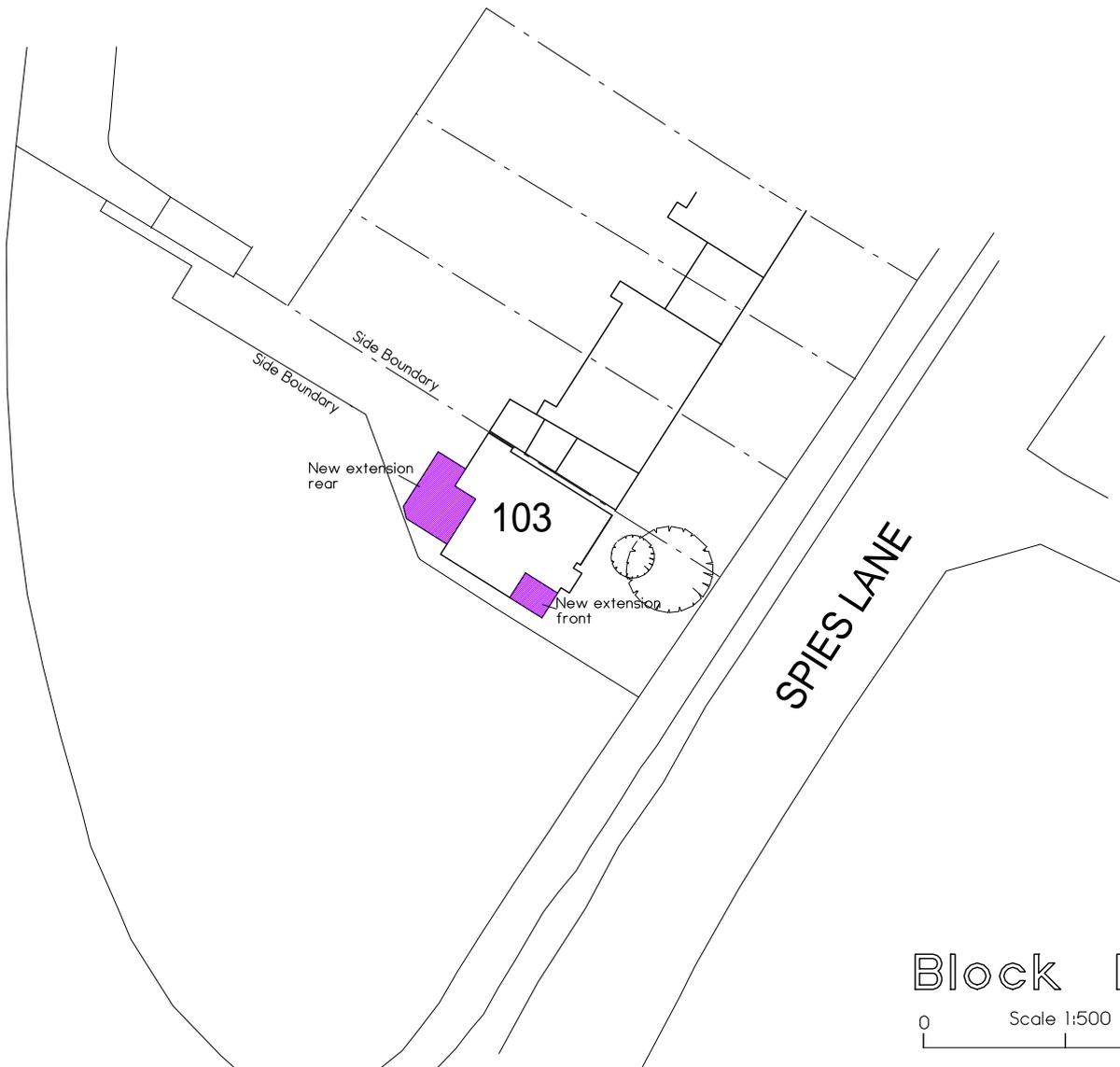


Address Name: 103 Spies Lane B62 9SS



Oakleigh Dental Practice 103 Spies Lane Halesowen B62 9SS





Block Plan

0 Scale 1:500 20m

SITE: 103 Spies Lane Block Plan

Heating: New radiator from every boiler and fitted with Thermostat Radiator Valve. Boiler to be upgraded for radiator capacity.

AS - Air Brick
 SF - Safety glass to BS 6206
 ME - Mechanical extractor

GENERAL SPECIFICATIONS (as applicable)

PITCHED ROOFS To be rainwatered with 38x38 s/w batten or 75x75 Sawn timber, fixed in accordance with manufacturers instructions on roof members as detailed. Walls to be secured to ceiling ties and rafters with 30x5 galvanised straps or rods fixed to 25mm x 100mm joists. 2 layers of 250mm fibre glass insulation between and over batten joists. Finish Skim ceiling or 25mm vapour control cloth.

CAVITY WALL 100mm cavity wall comprising 100mm facing bricks outer leaf to match existing 100mm cavity insulated with fibre glass Densolite 2" 100mm Thermalite Sheath 2200 Bricks. Cavity to be taken min 225mm back lowest door and the remaining face will lean no door. Cavity insulation overlapped with roof & floor insulation. Wall ties to BS 249 @ 900mm horizontally and 450mm vertically in a diamond pattern, increased to 300mm vertically at door window openings and at roof level. 12mm plaster skim on inside walls. Movement joints in brickwork 1200mm back from door.

FLOOR SLAB Floor finish to be laid on 65mm cement sand screed or 100mm subfloor floor insulation that complies with BS 821:1990 on 100mm 1:2.4 conc. on 100g polythene on 100mm underlayment 25mm edge insulation.

DPC Continuous felt to BS 745 to sit on wall 150mm min above G.L. Similar vertical dip to all openings.

ELECTRICAL & HEATING INSTALLATIONS All electrical work to comply with 5-Regs Part P Electrical Safety, must be designed, installed, inspected and tested by a person competent to do so. An electrical installation certificate to BS 7671 & heating commissioning certificate by Gas Safe engineer to be submitted to Building Control or completed. Provide energy lighting point for all 230V light fittings. All unions to be cranked.

FOUNDATIONS Cons. footing to 1:2.4 min depth 500mm below G.L. and to prevailing ground conditions. Foundations with 1m of drains to be taken lower than the river level of the drain and made up with lean mass conc.

UNITES Insulated Gable Gable roof or openings in party wall. Gable units to be set on 100mm x 100mm wall reinforced concrete level over openings in new 100mm walls, unless noted otherwise 100mm min bearing.

EXT. DOORS & WINDOWS 2/1 or 2/2 with 24mm Argon filled double glazed units with Low-E inter-pane. Double windows 1.8 doors 1.8 and draught proof seals. Reveals lined with 25mm insulated p. but 25mm insulation on door window board. Sashes glazing to all panes in and with 300mm of new Joints up to 1000mm for 1.8 and 1.8 windows by panes with 800mm of FI.

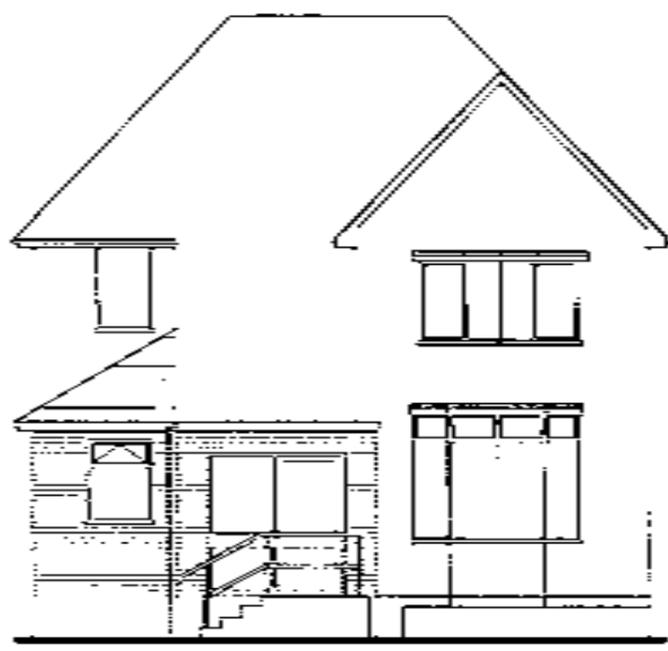
FASCIA BOARD 100mm thick s/w treated with preservative.

VENTILATION Rapid ventilation 1/20th of floor area. Background extractable vent 400mm² in occupiable rooms and 4000mm² in other rooms. Mechanical extract ventilation to kitchen domestic type 60 litres/sec and bathroom 15 litres/sec.

DRAINAGE Flings to have 25mm deep trap with clear eye 40mm waste pipes to be discharged below gully and 50mm above the water level at the trap of E.G. 100mm Hallow drain pipes flexible joints, bedded and surrounded in granular fill Material 100. Drains passing through walls to be sealed and fixed to both sides of the wall. FIH constructed in 2" x 2" section with set on 100mm conc base. C cover and frame. Subsoil to establish the accuracy and then levels of edge drains prior to commencement of works.

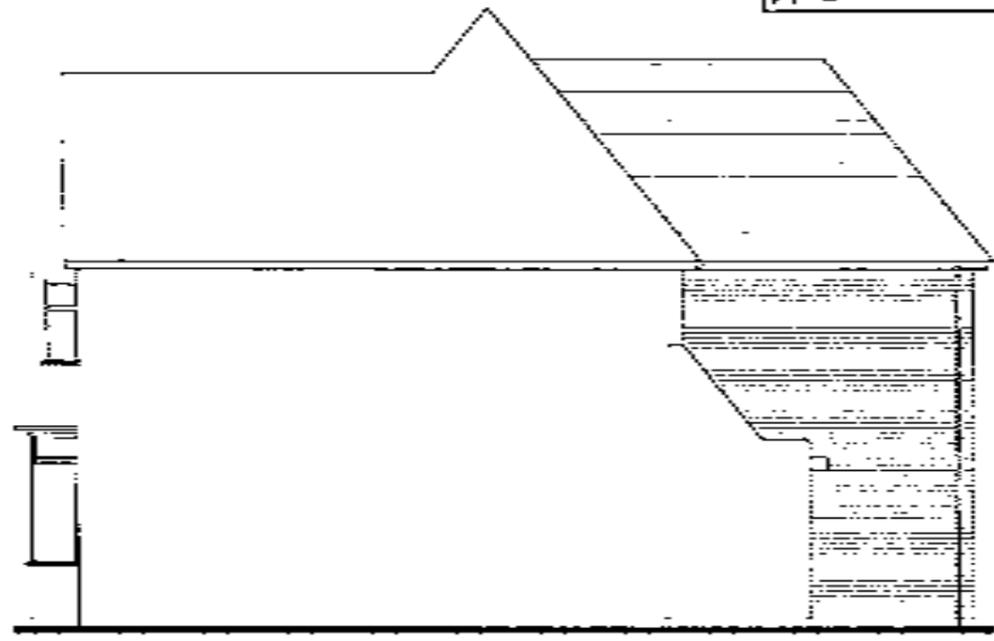
RAINWATER DISPOSAL Roof to be led to 100mm pipe to be 60mm put down pipe.

NOTES All materials and work must comply with the relevant BS and the current Building Regulations. Builder must check site dimensions and report any discrepancies to the designer. Any work affecting adjoining property must be carried out with the written consent of the concerned party. New work built to engineering and shown finished. All dimensions are in mm to structural elements and to take priority over scale.



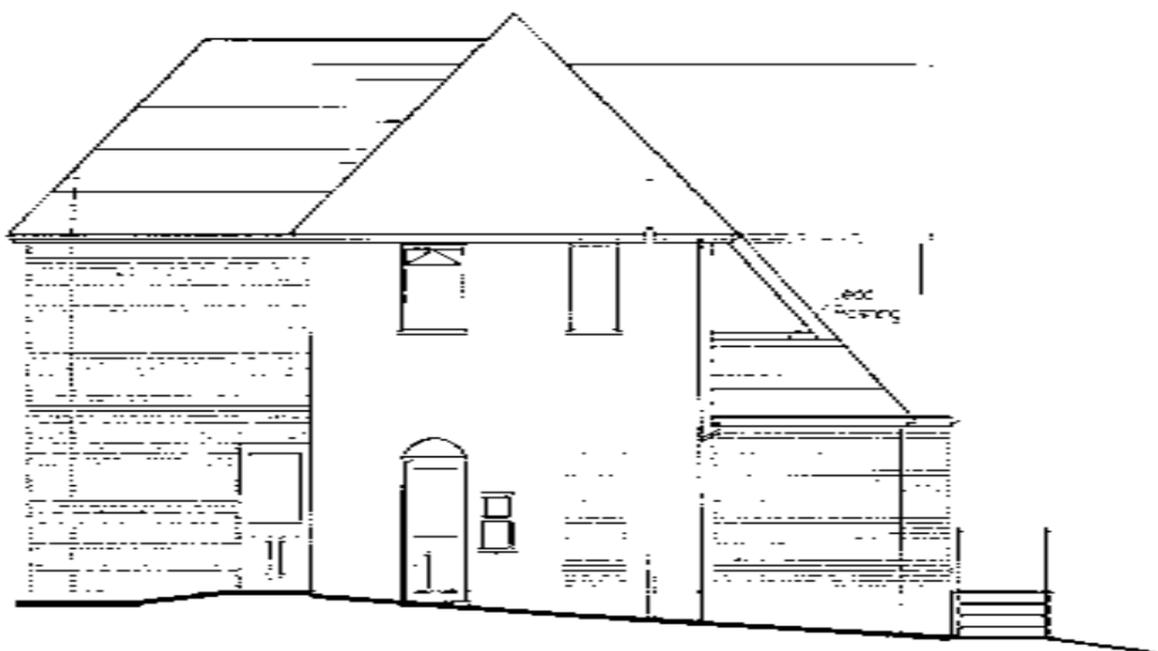
Front Elevation

Scale 1:50



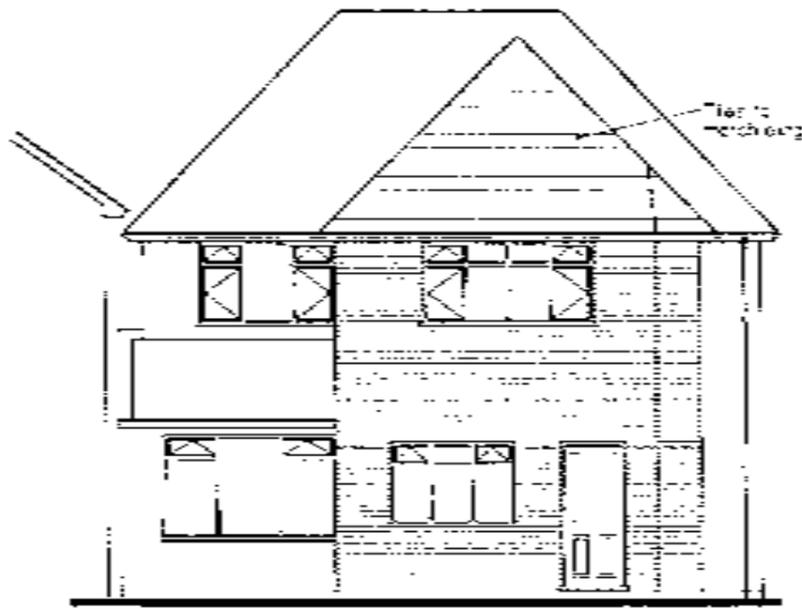
Rear Elevation

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Side Elevation

Scale 1:50



Front Elevation

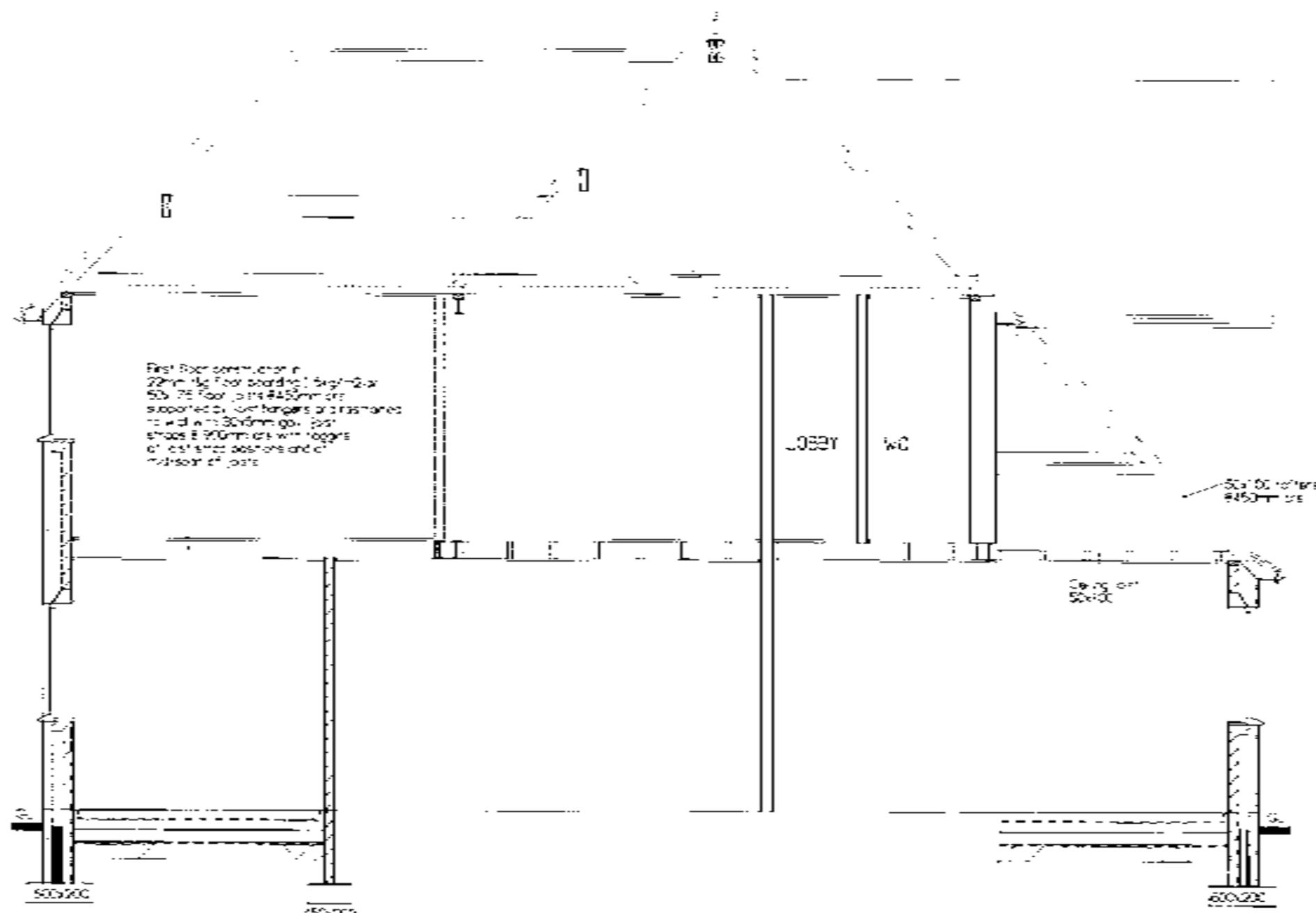
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Rev. A. Extractors corrected for missing doors and windows 21/3/12

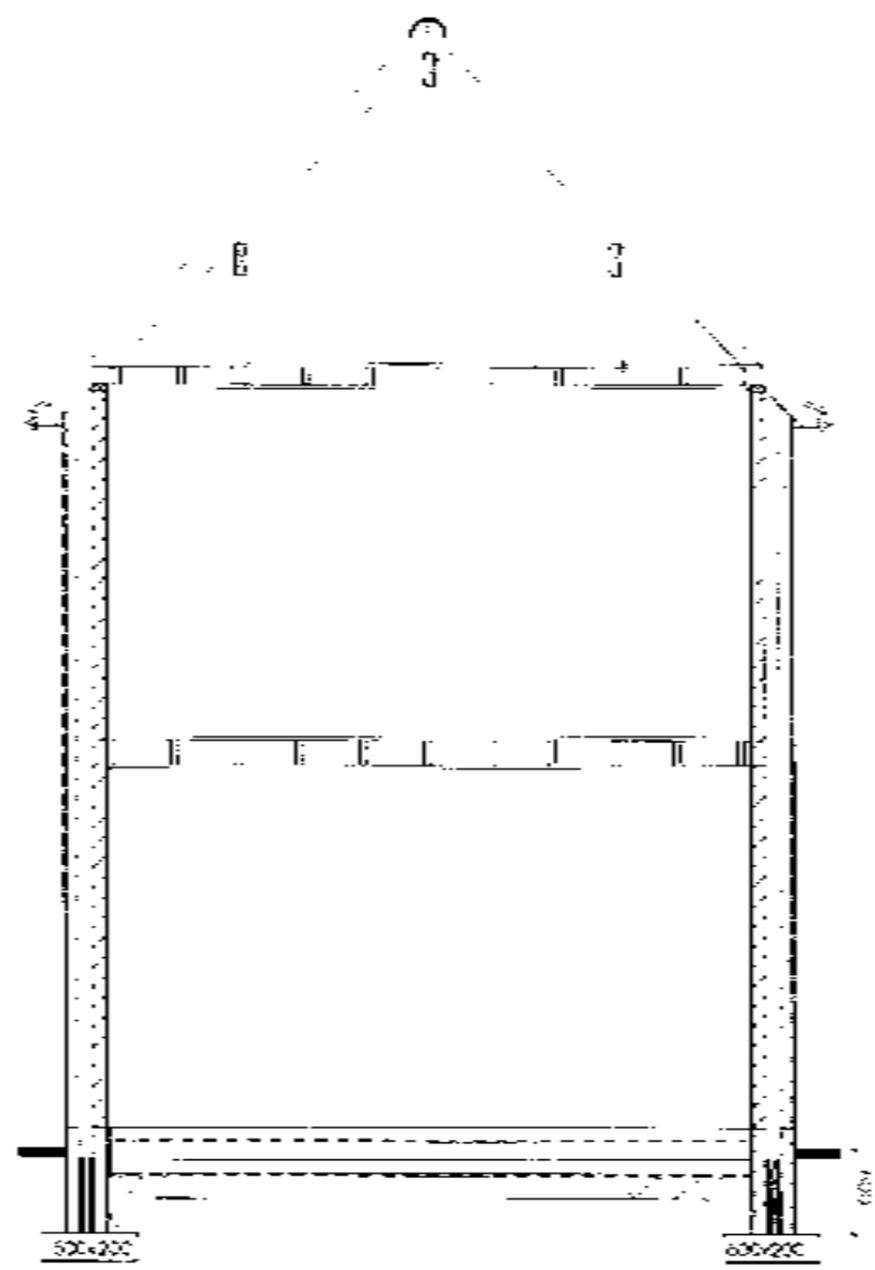
Client: Dr. Ashraf Fayaz, Senior Lecturer, Faculty of Architecture, Cairo University, 11512, Giza, Egypt.
 Date: 20/05/2012

Scale: 1:50 Date: 20/05/2012 Drawn: JK

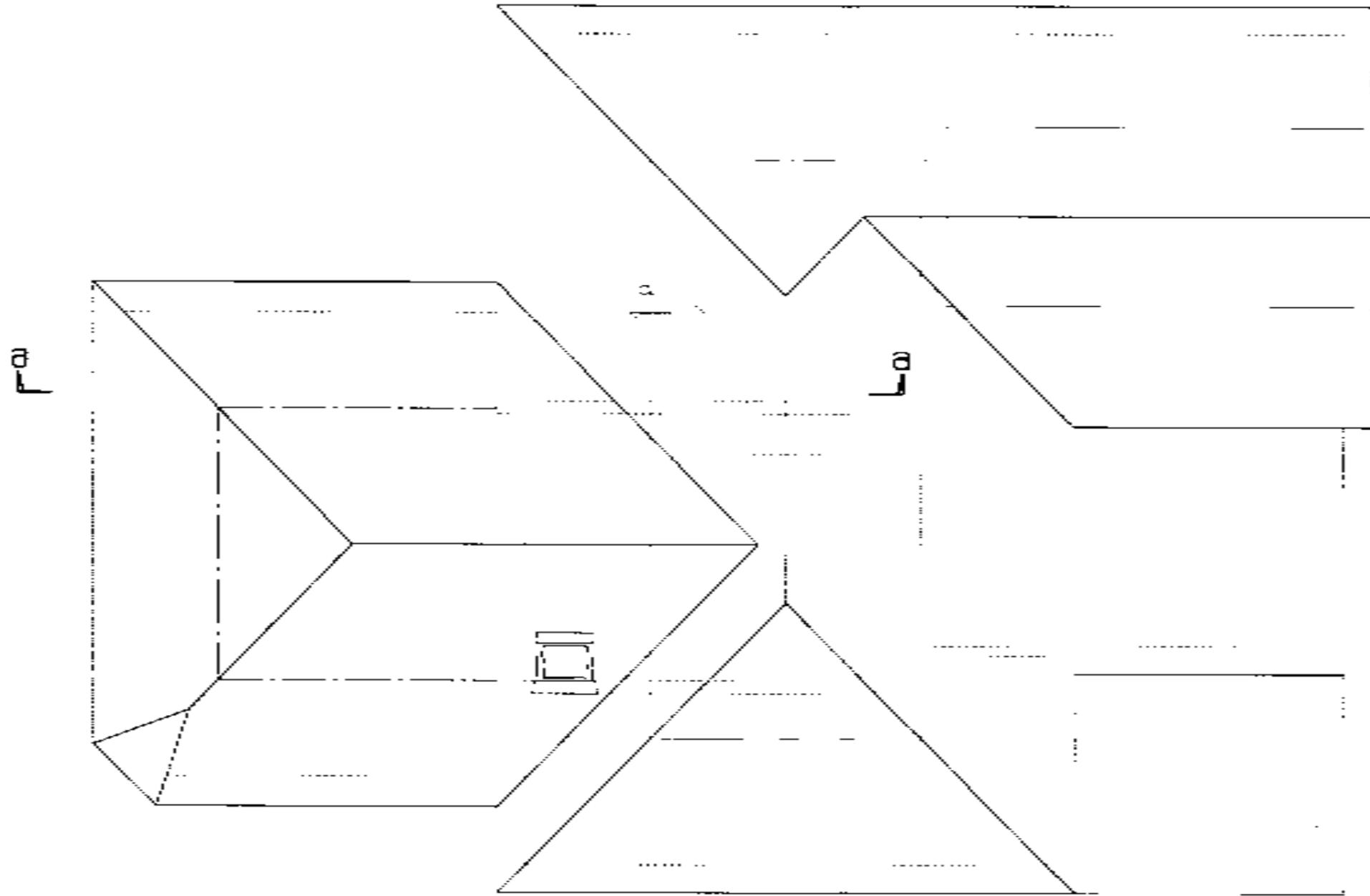
J K Kalsi
 Building Designs & Technical Services
 10, Giza Road, Giza, Egypt
 Tel: +972 11 531 1111
 Fax: +972 11 531 1111
 Email: jk@jkalsi.com



Section a-a
Scale 5/8



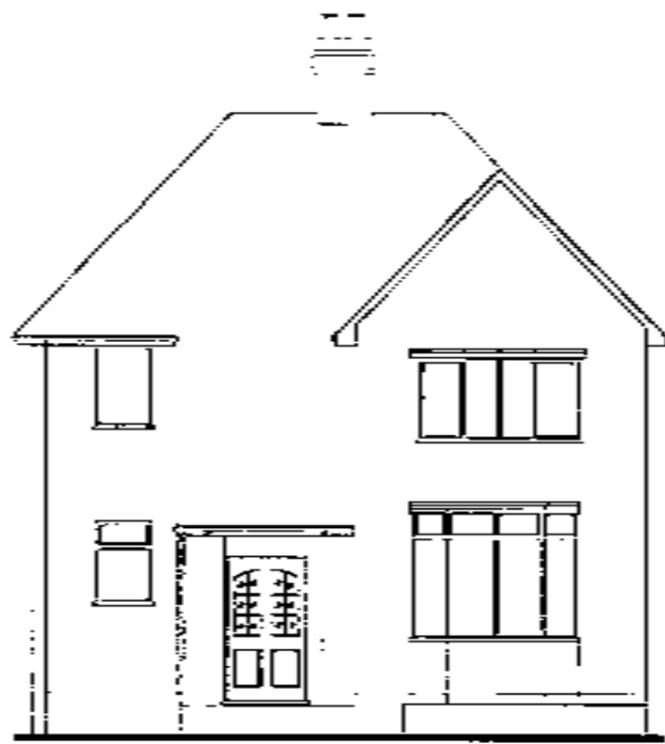
Section b-b
Scale 5/8



C. 512
 letters 4x2
 June 93
 412503
 Unit 8 1/2
 Roof for 1st floor

Roof Plan

1 500 50 2



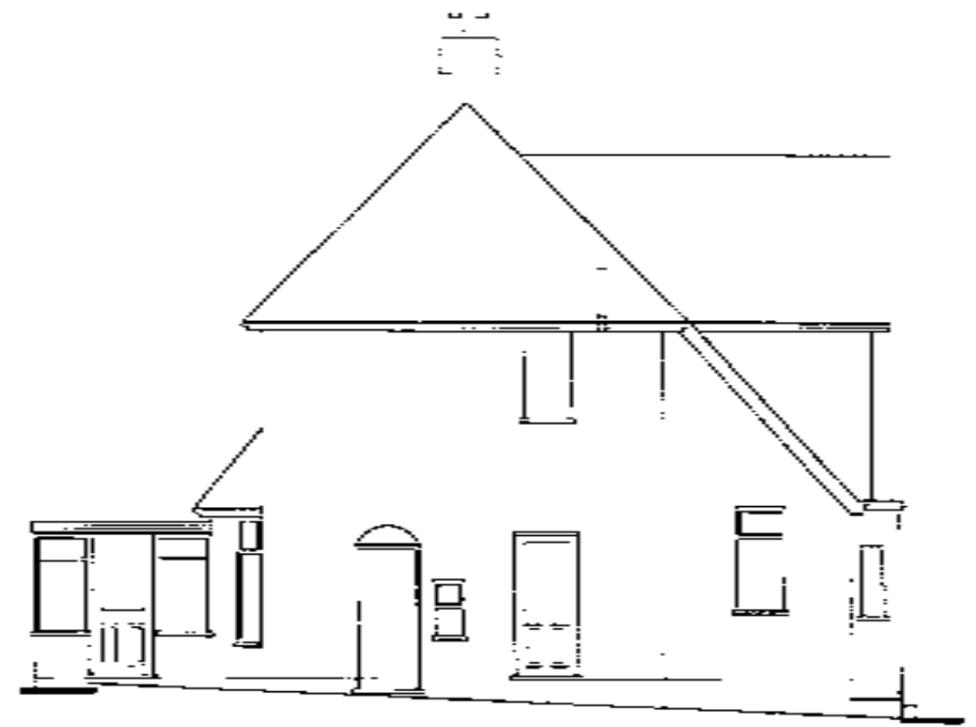
Front Elevation

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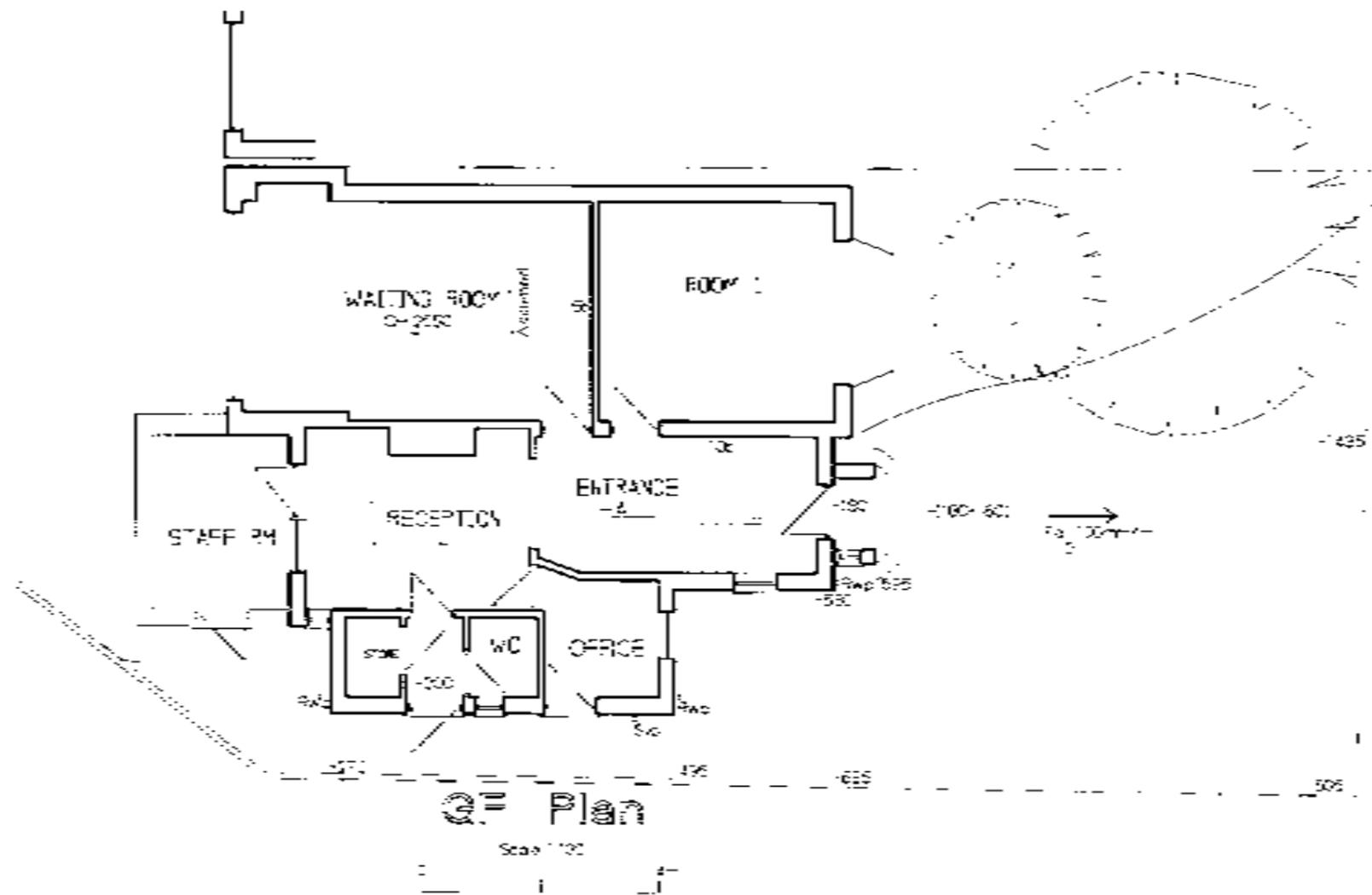
Rear Elevation

Scale 1:50



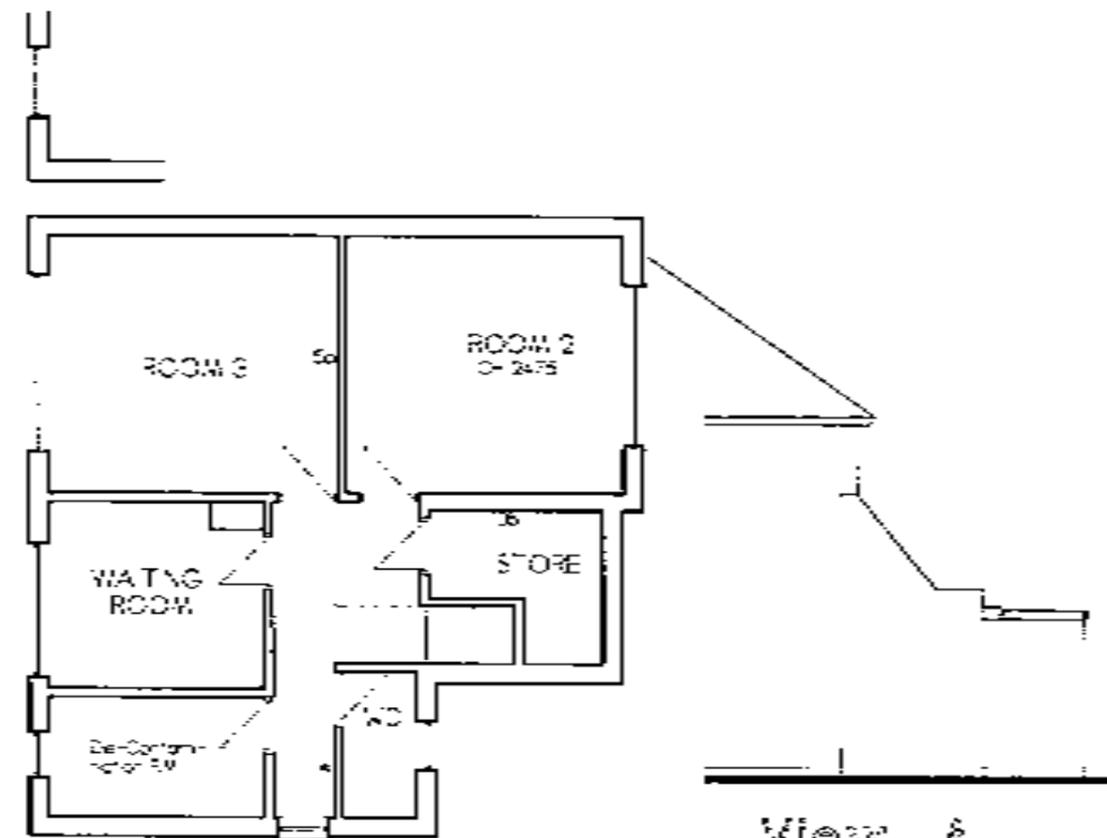
Side Elevation

Scale 1:50



G.F. Plan

Scale 1:20



G.F. Plan

Scale 1:20

View A

Scale 1:20