
Appeal Decision

Site visit made on 23 January 2018

by Debbie Moore BSc (HONS) MCD MRTPI PGDip

an Inspector appointed by the Secretary of State

Decision date: 16th February 2018.

Appeal Ref: APP/M2325/W/17/3182109

St Annes Medical Centre and former railway platform, Durham Avenue, St Annes, Lancashire FY8 2EP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Harry Ashworth of Rushcliffe St Annes PCC Ltd against the decision of Fylde Borough Council.
 - The application Ref 17/0289, dated 7 April 2017, was refused by notice dated 26 July 2017.
 - The development proposed is described as “partial roof lift to existing medical centre to create additional office space on second floor, formation of additional parking facilities and landscaping on part of former railway platform”.
-

Decision

1. The appeal is allowed and planning permission is granted for “partial roof lift to existing medical centre to create additional office space on second floor, formation of additional parking facilities and landscaping on part of former railway platform” at St Annes Medical Centre and former railway platform, Durham Avenue, St Annes, Lancashire FY8 2EP in accordance with the terms of the application, Ref 17/0289, dated 7 April 2017, subject to the conditions attached in the Schedule to this Decision.

Application for costs

2. An application for costs was made by Mr Harry Ashworth of Rushcliffe St Annes PCC Ltd against Fylde Borough Council. This application is the subject of a separate Decision.

Procedural Matters

3. I have taken the site address and the description of development from the appeal form, as these are consistent with the Council’s decision notice.
4. There is a planning history relevant to the appeal, which I have taken into account. In particular, a split decision was issued on appeal.¹ This decision granted permission for B1 (office) use of the existing second floor, demolition of No 5 Stephen Street and an extension to the car park. Permission was refused for a proposed roof lift to the existing medical centre to create additional office space on second floor. The appellant describes the current appeal proposal as a re-submission of that partially dismissed on appeal. A key

¹ Ref APP/M2325/W/16/3150374 dated 29 September 2016

difference is that the current appeal scheme includes 16 additional car parking spaces, which would be provided on acquired land that was formerly part of the railway platform.

5. The Council considers that the provision of an extra car parking space in the layby on the Durham Avenue frontage should be discounted as the dimensions would be too small for two vehicles. In contrast, the appellant's Technical Note² indicates that the layby is already in use and can accommodate two vehicles. It is clear from the proposed site plan that one of the layby spaces would be additional. I appreciate that alterations to the layby may be required which would impact on the adjoining area of landscaping, but this would be achievable and the additional space could be provided. I have determined the appeal on this basis.
6. There is a suggestion from local residents that the Council's consultation was misleading, and incorrect information has been provided in relation to ownership certificates. The Council has rejected these assertions, and I have no reason to find otherwise.

Main Issue

7. The main issue is the effect of the development on the living conditions of nearby residents, with particular regard to disturbance and congestion.

Reasons

8. St Annes Medical Centre comprises two GP surgeries, the NHS Trust providing non-GP services, and an on-site pharmacy. The building is located within a predominantly residential area, and borders the railway line. There is car parking surrounding the medical centre, with vehicular access from Durham Avenue and Stephen Street. The application form states that the site provides 125 car parking spaces in total.
9. The proposal includes a roof lift to create an additional 296 square metres of office floorspace, which would enable the relocation of existing offices on the ground and first floors. I understand that another surgery, Poplar House, would transfer to the medical centre. The extended site would provide 146 car parking spaces, 16 of which would be on the former railway platform, as described above, and a further five would be created from within the existing parking areas. It is proposed that the 16 spaces on the former railway platform would be used by staff, freeing up space within the car park.
10. I understand that staff and service vehicles tend to access the site from Stephen Street, with patients and visitors habitually accessing the site from Durham Avenue. It is proposed that existing bollards which separate the car park into two distinct areas would be removed, allowing the free flow of traffic around the building. This would address any perceived distinction between the parking areas. It is intended that the car park would be managed through a one-way system.
11. The Council is concerned that there is a lack of clarity on the extent of vehicle movements and parking demand at present. I accept that the information on existing patient numbers is limited, and the staff figures provided may not reflect accurately the demand for parking due to working patterns. However,

² Technical Note 1 (28 March 2017) PSA Design

more detailed information of this type would not necessarily assist in establishing an accurate assessment of the likely parking demand. Nonetheless, it is necessary to understand existing demand at the site, and the Poplar House Surgery.

12. I have had regard to the appellant's Technical Note, which provides a car parking assessment, including beat surveys covering the medical centre car park and surrounding residential roads. I have also considered the information from the Highway Authority and the report submitted on behalf of local residents (the Residents' Report).³
13. The appellant's survey indicates that peak demand for parking within the medical centre car park was between 1400 and 1500 hrs. During surgery hours the car park remained very busy and, at times, was operating close to capacity. This is consistent with evidence supplied by local residents. The appellant's survey indicates that demand for on-street parking along Stephen Street, St David's Road North and Durham Avenue is relatively high. The parking numbers did fluctuate throughout the day, but the level of demand was fairly constant. I note that the parking demand was generally lower after 0800 hrs and before 1700 hrs, which is likely to be due to working hours. However, I understand that this situation has worsened in recent months due to the establishment of a day nursery and a kennels.
14. On the day of the survey, there was spare capacity on the surrounding roads, although the availability of on-street parking was not quantified. I also note the observations of the Highway Authority which suggests that on-street parking is not at capacity. This accords with what I saw on my site visit, conducted during the early afternoon on a weekday.
15. The Technical Note states that the potential increase in car parking resulting from the development will be that associated with the transfer of the Poplar House Surgery, which I consider to be a fair assumption as this proposal forms the basis of the application. This is quantified as 21 patients using cars during the observed peak period, which gave a maximum parking demand of 11 spaces, assuming a 30 minute parking duration. The staff parking demand is estimated to be 13 spaces, based on existing staff numbers. This would result in a combined maximum parking demand of 24 spaces.
16. Representations suggest the analysis is flawed as it takes no account of non-patient visits, for example, people visiting the pharmacy only. Also, further information contained in the Residents' Report indicates that the Poplar House parking demand is higher than that suggested. The maximum number of total visits by car was recorded at 35, between 0900 and 1000hrs on a Monday. However, it is unlikely that those visitors would remain for the full hour and, applying the duration of 30 minutes for all visits, the visitor parking demand would be 17 to 18 cars. Staff parking would be additional and there is some concern that numbers are inaccurate or may increase if the surgery moves to the medical centre. However, the evidence to support this assertion is not conclusive.
17. Despite the fact that the medical centre is well located for public transport, it is apparent that the car park is well used and, at times, it is close to capacity. It has been demonstrated that there is a relatively high level of demand for on-

³ Turner Lowe Associates dated January 2018

street parking along local roads, particularly Stephen Street and Durham Avenue. This demand is fairly constant throughout the day. However, on-street parking is not at capacity.

18. It is highly likely that the development will result in additional demand for parking, which may well be around 18 visitor spaces plus 13 staff spaces at certain times of the day. The proposal makes provision for the increased demand through alterations to the car park, in particular, the creation of a new 16 space staff car park. Also, improvements to the management of the car park would assist in its efficient operation. I am satisfied that, as a result of these measures, the car park would accommodate a significant proportion of the increased demand.
19. I agree that there would still be likely to be a modest increase in demand for on-street parking on local roads. However, it has been demonstrated that there is capacity in the vicinity. Moreover, the demand associated with the development would most likely only occur during surgery opening hours and not in the evenings or at weekends, when it can reasonably be assumed that residents' demand for parking would be highest.
20. I appreciate that the inability of residents' to park in front of their home would be inconvenient. However, I am not persuaded that the increase in demand for parking on-street, as a consequence of the development, would exacerbate the inconvenience to local residents to the extent that the appeal should be dismissed for this reason. I have considered the effect of noise and disturbance associated with staff or patients arriving or leaving a parking space and using local roads. However, the vehicle movements would occur during surgery hours, and not during the evening or overnight when local residents would expect to relax in their homes.
21. The Council's concerns about significant congestion are not supported by the evidence, either in respect of vehicle numbers or existing levels of traffic using the local road network.
22. I have considered the concerns about the ability of patients and staff to readily find available spaces due to the configuration of the site, and the possibility of staff ignoring their designated areas and taking up patient space. I consider that the improvements to the site circulation and car park management would address this, which could be secured through a planning condition as the Council suggests. I appreciate that the area of informal parking in front of the gates to the former railway platform would be lost, but this is unlikely to have a material impact. I also note the concerns about the lack of dedicated ambulance parking but emergency access, if required, can be secured through the car park management plan.
23. It is suggested that there is no agreement with Network Rail to acquire the land. I have, therefore, imposed a planning condition to ensure the car parking areas are laid out prior to the occupation of the development.
24. I have noted the suggestion that the development would mean that the streets would be less likely to be used for play or recreational purposes. However, these sorts of activities would be extremely limited at present, given the nature of the local road network.

25. To conclude on this issue, I find that a significant proportion of the car parking demand generated by the development would be accommodated in the extended and altered car park. The likely increase in demand for on-street parking could be accommodated without resulting in a material adverse impact on the living conditions of local residents. The proposal would, therefore, accord with Policy CF1 of the Fylde Borough Local Plan (as altered 2005) and Policy GD7 of emerging Fylde Local Plan, which seek to, amongst other things, protect residential amenity and ensure adequate access and parking facilities are provided.
26. The development would also accord with Policies GP1 and DH1 of the Saint Anne's on the Sea Neighbourhood Plan (2016 – 2031), which support development in settlement areas whilst seeking to ensure development takes account of the surrounding character of the area.

Others Matters

27. I have considered the representations made in respect of highway safety matters. However, neither the Highway Authority nor the Council raise any issue with the highway safety implications of the development. I have taken into account the concerns of local residents, but there is no evidence that leads me to a different conclusion.
28. Concerns have been expressed about over-development and the impact of the extended building on residential amenity. However, these matters were considered by a previous Inspector and the Council accepts these findings. I have not seen or read anything that causes me to disagree with these conclusions. However, I do agree that a planning condition is necessary to ensure new second floor windows would be obscure glazed to protect the privacy of neighbouring residents. I have also imposed a condition requiring a construction method statement to minimise the impacts of construction on local residents.
29. Significant concerns have been expressed about breaches of planning control at the medical centre. Some of these matters have been addressed by subsequent planning permissions, but it is suggested that there are additional outstanding matters. The full details of the alleged breaches are not before me. In any event, I am required to deal with this appeal as set out in the application form and supporting plans.
30. Similarly, there are concerns that granting permission for the additional office space on the second floor would enable the unrestricted use of the premises, not associated with the health use. However, it is clear that the development is sought to enable the relocation of the Poplar House Surgery. Consequently, I consider it unlikely that the proposal is a means to diversify the use of the building to include general office use.
31. I note the suggestion that the Poplar House Surgery would not need the amount of space that would be freed up by the development. However, I am advised that the existing surgery is operating from a facility that no longer meets modern requirements and in many respects is substandard. Comparing the existing facility to that proposed is not straightforward as it appears that the existing surgery is constrained by site-specific circumstances. Also, it does not follow that the Poplar House Surgery would expand as a result of its new location. It is equally as likely that there would be economies of scale.

32. I understand that there is new residential development planned within the catchment of the three surgeries, but I have no information on this. It cannot be assumed that this would have a direct consequence for the operations at the medical centre, as there may be several means of addressing increased demand for healthcare.
33. Part of the wall to the former platform would be removed to provide access to the new parking area. The Council considers that the loss of the small section of the wall would not have a detrimental impact on the character of the area. I agree with this conclusion. Also, concerns about tree loss can be addressed through a condition requiring a landscaping scheme to be implemented.
34. It is suggested by some residents that the development would affect house prices. However, the planning system does not exist to protect the interests of some people over the interests of others. Consequently, I have given this consideration no weight.
35. Also, the suggestion that there are better sites for the development, or the Poplar House Surgery should be upgraded, are not matters that I can take into account, as I have to determine the appeal before me. There is no evidence that patient care would be adversely affected by the proposal.
36. Improvements to public transport and residents' parking schemes are not part of the proposal, and the Council has not suggested that such measures would be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind. As such, I have attached little weight to this matter.

Conditions

37. In addition to the standard time limit condition (1), I have specified the approved plans, as this provides certainty (2). I have imposed a condition requiring matching materials to ensure the development complements the host building (3). I have imposed a pre-commencement condition, which is necessary to ensure the use of obscure glazing, where appropriate, to protect the privacy of neighbouring residents (4).
38. A Travel Plan is necessary to encourage alternative modes of transport (5). I have also imposed a pre-commencement condition requiring a car park management plan, which is necessary to encourage the effective use of the car park (6). A condition to ensure that the new car parking areas are provided and retained is necessary (7). I have imposed a condition to restrict the use of the premises to that which was applied for (8). A landscaping scheme is necessary to improve the appearance of the site and ensure the development does not conflict with the operation of the adjoining railway line (9 and 10). Finally, a pre-commencement condition requiring a construction method statement is necessary in the interests of residential amenity (11).

Conclusion

39. For the reasons given above, the appeal is allowed.

Debbie Moore

Inspector

Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location Plan: Ref 1840-01-01 Rev B;
 - Proposed Site Plan: Ref 1840-01-02 Rev B;
 - Proposed Elevations Sheet 1: Ref 1840-01-09 Rev A;
 - Proposed Elevations Sheet 2: Ref 1840-01-10 Rev B;
 - Proposed Second Floor Plan Sheet 1: Ref 1840-01-05;
 - Proposed Second Floor Plan Sheet 2: Ref 1840-01-06;
 - Existing and proposed roof plan: 1840-01-11.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building in form, colour and texture.
- 4) Development shall not commence until a glazing scheme has been submitted to and approved in writing by the local planning authority. The scheme shall identify the new windows to be fitted with obscure glazing, the method of restricting or prevent opening of the windows, and the type and specification of the glazing to be used. The glazing scheme shall be implemented in full prior to the occupation of the development hereby permitted, and retained as such thereafter.
- 5) Prior to the occupation of the development hereby permitted, a Travel Plan shall be submitted to and approved in writing by the local planning authority. The Travel Plan shall include measures to encourage alternative modes of transport and reduce the number of car journeys associated with the development hereby permitted. The Travel Plan shall include an implementation timetable, and a mechanism to audit the measures introduced and their effectiveness. The Travel Plan shall be implemented in accordance with the approved timetable, and updated at intervals not greater than 18 months to ensure that the approved Travel Plan is carried out and working affectively.
- 6) Development shall not commence until a Car Park Management Plan (including the removal of bollards and addition of directional signage) for the existing and proposed parking areas has been submitted to and approved in writing by the local planning authority. The Car Park Management Plan shall be implemented in full prior to the occupation of the development hereby permitted and thereafter the car park shall be operated in accordance with the approved details.
- 7) The development hereby permitted shall not be occupied until space has been laid out within the site (in accordance with drawing no. 1840-01-02 Rev B) for 146 cars to be parked and that space shall thereafter be kept available at all times for the parking of vehicles.

- 8) The development hereby permitted shall be used for office space in association with the use of the premises as a medical centre and for no other purpose (including any other purpose in Class B1 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).
- 9) Development shall not commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
- i) soft landscape works including planting plans; schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate;
 - ii) land levels, including surface water drainage from the new parking areas;
 - iii) means of enclosure and retaining structures;
 - iv) boundary treatments adjacent to the railway line;
 - v) hard surfacing materials;
 - vi) an implementation programme, including phasing of work.

The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied in accordance with the agreed implementation programme. The completed scheme shall be managed and/or maintained in accordance with an approved scheme of management and/or maintenance.

- 10) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 11) No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
- i) the identification of the site access for construction traffic, the timing of its provision and standard of construction;
 - ii) times of routes of deliveries to the site;
 - iii) parking of vehicles of site operatives and visitors;
 - iv) arrangements to ensure appropriate parking levels are retained on-site throughout construction;
 - v) loading and unloading of plant and materials;
 - vi) storage of plant and materials used in constructing the development;
 - vii) the erection and maintenance of security hoarding;
 - viii) wheel washing facilities;
 - ix) measures to control the emission of dust and dirt during construction;

- x) measures to control the generation of noise and vibration during construction;
- xi) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- xii) delivery and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

[end]