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<b>Snodland</b> Snodland East	<b>570165 161390</b>	<b>18.04.2006</b>	<b>TM/06/01000/FL</b>
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Proposal:	Change of use from C3 to D1 (dental practice) and off-street car parking to rear of premises
Location:	169 Malling Road Snodland Kent ME6 5EE
Applicant:	Dr M Eyrumlu

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## **1. Description:**

- 1.1 Permission is sought to change the use of number 169 from a single dwelling to a dental practice with the provision of 8 off street parking spaces at the end of the rear garden, having access from Catts Alley. A new dropped kerb would be needed from the turning head at the end of Catts Alley. The plans show that internal works only would take place to provide 3 treatment rooms, a reception area and staff room.
- 1.2 It is stated that the surgery would relocate from premises elsewhere in the town and would operate between 8.30am and 6pm on weekdays. On Saturdays it would open from 9am to 2pm. The applicant estimates that 20 vehicles would visit the site each day.
- 1.3 The applicant has submitted a statement to support the application. New premises are required to provide improved facilities for the recent changes to the way in which dentists operate. It is considered to be very important to move premises as Snodland expands.
- 1.4 Policy 5/10 concerning the expansion of existing firms in urban areas.

## **2. The Site:**

- 2.1 Number 169 is a semi-detached house situated on the eastern side of the road, on the south side of the junction with Catts Alley. The property benefits from a two storey rear extension and loft conversion as well as a rear garden approximately 55m in length. This is enclosed by a 1.8m panel fence with grass verge and pavement along Catts Alley.

## **3. Planning History:**

- 3.1 TM/85/1466            Approved 29.11.1985  
Two storey rear extension.
- 3.2 TM/99/02438/FL    Refused 15.12.1999  
Proposed extension of dropped kerb and demolition of wall to provide new car parking space.

**4. Consultees:**

- 4.1 Snodland TC: There is a strong case for improving the number of National Health Dentists in the town. If the LPA were minded to grant consent, would it be possible to apply a condition regarding NHS treatment? There are concerns as to how the site will be secured after hours.
- 4.2 Primary Care Trust: supports the relocation of the practice to larger premises. This would enable the practice to see and treat more patients than it does currently.
- 4.3 KCC (Highways):

The proposal will result in the dental practice having three consulting rooms. KCCVPS could attract the provision of 4 off street parking spaces per consulting room plus 1 space per member of staff. This proposal could therefore attract a parking provision of 12 spaces for the consulting rooms plus maybe 2 for staff, i.e. a total of 14. The applicant is proposing to provide 8 parking spaces including 1 disabled bay to the rear with access being off of Catts Alley. There is therefore a shortfall in what could be required of 6 spaces.

Catts Alley will be an adopted highway and whilst it can accommodate two-way traffic the parking of vehicles is not to be encouraged that a shortfall in parking may result. I am aware that on street parking is available in the Malling Road but this is not controlled and spaces cannot always be guaranteed. In general a dentist is likely to serve the local community and indeed some customers may walk or even cycle to the surgery that may ease the pressure on the parking. However, this shortfall in parking is still of concern.

It maybe that the applicant could approach the doctors' surgery or Snodland Town Council who also control nearby parking to discuss the possibility of securing some parking, during the opening times of the surgery, to provide overflow parking should it be required. This combined with the provision of secure cycle storage would address the deficiencies in parking. Should the applicant be able to provide more details, if available, on the location of the patient base, using the addresses this also may have some bearing.

As submitted I would not support the application.

Condition HR04, Inadequate parking space.

**4.4 DHH:**

In my previous comments in respect of this application, dated 5<sup>th</sup> May 2006 I identified the environmental issue to be the potential for noise disturbance from the operation of a business in a semi detached property, the other half of which is used for residential purposes.

I advised that the applicant should be requested to provide an acoustic appraisal to evaluate the impact on nearby residents of:-

- noise associated with the operation of equipment within the building,
- noise associated with the use of the parking area to the rear of the premises

I also advised that the applicant be requested to provide details of waste generation, storage and disposal. If any liquid waste is to be discharged into the public sewer, then the consent of Southern Water will be required.

The applicant has submitted some manufacturer's data relating to a dental compressor and dental suction system and this has been supplemented by a letter dated 8<sup>th</sup> May 2006 and plan, reference 2401/02 both of which are attached to this memorandum for your records.

Based on the information now available I am satisfied that noise from the operation of equipment within the building is not likely to be audible within the adjoining dwelling. To safeguard the position any permission that might be granted should be subject to an appropriate noise limit condition.

I have received no further information relating to the other matters identified in my previous comments and accordingly must continue to object to the application.

#### 4.5 Private Reps: 2 letters received and comments made about:-

- Vehicle access to rear would be in conflict with pedestrian movements.
- Increased volume of traffic and associated air pollutants, causing damage to health.
- Possible reduction in visibility with cars parked at junction with Malling Road.
- Business use will lead to a reduction in privacy.
- Noise pollution.
- Changes to building would affect the visual symmetry of the building

### **5. Determining Issues:**

- 5.1 This proposal involves the introduction of a new medical facility and associated small car park into a largely residential area. The Local Planning Authority needs to assist in the provision of health facilities for both existing and new patients – but only where it does not give rise to adverse implications. Whilst recognising that this proposal would be of benefit to Snodland residents, there is a requirement to consider the proposal in relation to any relevant Local Plan policies and other material considerations including to the character of the locality.

- 5.2 There are a number of matters that require consideration. These are covered generally by P5/10 concerning expansion of existing firms. Although this policy does not specifically mention the relocation of business, this must, by implication be 'a consideration' and the policy identifies the types of problem that could cause adverse impact on residential amenity.
- 5.3 The proposed facilities incorporating 3 surgeries will generate additional activity not normally associated with a private dwelling. This would be in the form of cars pulling up or away, car doors closing, engines starting, the chatter of visiting patients and staff and the front door opening and closing. These activities would take place at the front of the property and also at the rear with frequent vehicle movements adjacent to a private garden.
- 5.4 The nature and level of activity would clearly be more than would be associated with the current use of the property as a private semi-detached house. As with the applicants previous application at number 185 Malling Road (refused under delegated powers), it is considered that the use and associated activity of a dental practice would result in an unacceptable loss of amenity for the occupants of the adjacent property, in particular number 171.
- 5.5 In addition to concerns about the general principle of a dental practice at number 169, there is also concern about parking provision. KCC Highways has identified that there is a shortfall in the parking provision. I have a concern about creating a small car park in the back garden area in these particular circumstances and I would not wish to encourage the provision of additional spaces to make up the shortfall, due to the detrimental impact this would have on the residential amenities of the occupants of the adjacent house. Even if the applicant were to be successful in an approach to another organisation, to provide parking places elsewhere, it may be difficult to control this parking as it would be out of the identified site area.
- 5.6 The applicant has now provided satisfactory details of the mechanical equipment to be provided within the surgeries. DHH is now satisfied that noise from this equipment within the building is not likely to be audible within the adjoining building and this matter can be covered by an appropriate noise condition. No further information has been provided about noise associated with the use of the rear parking area or waste generation, storage and disposal. Consequently the DHH maintains his objection.
- 5.7 The comments of the Town Council have been given careful consideration and the desire to provide National Health dentists is fully understood, even if it would not be possible to cover this matter by a planning condition. Security of the site is a consideration but unlikely to be a determining issue.
- 5.8 I believe that it is right to be supportive to the need of the applicant to find suitable premises to use as an expanded dental practice. The development however needs to be able to operate without causing harm to amenities of neighbours. The

creation of 3 surgeries would generate a level of external activity that would be above that expected in a normal residential area and detrimental to existing amenities contrary to the aims of P5/10. For these reasons it is recommended that permission is refused.

**6. Recommendation:**

6.1 **Refuse Planning Permission**, as outlined in the plans received 29.03.2006, letter and certificate received 13.04.2006, amended site plan received 18.04.2006, letter dated 26.04.2006, information received 02.05.2006, for the following reasons:

- 1 The proposed development by reason of the associated general noise and activity in close proximity to residential properties, will cause harm to the residential amenities currently enjoyed by the occupants of the adjacent properties.
- 2 The absence of adequate parking facilities due to an insufficient number of spaces and/or inadequate manoeuvring space would be likely to create additional hazards to traffic.

**Informatives:**

- 1 Notwithstanding the Grounds of Appeal the applicant provided inadequate details in the form of an acoustic appraisal that evaluates the impact on nearby residents of noise associated with the use of the parking area to the rear of the premises and waste generation, storage and disposal, to allow a positive decision to be made.
- 2 The applicant is encouraged to discuss alternative sites with staff in Development Control before submitting any further applications for this use, in an endeavour to identify a suitable site.

Contact: Hilary Johnson