

COMMITTEE REPORT

20210881	26 Colwell Road	
Proposal:	Demolition of single storey building at rear; Construction of single storey extension at side and rear; canopy at front; installation of cladding at front and alterations to medical centre (Class E) (Amended plans received 08/07/2021)	
Applicant:	Dr Boora	
App type:	Operational development - full application	
Status:	Minor development	
Expiry Date:	14 July 2021	
AVB	TEAM: PD	WARD: Fosse



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Summary

- Brought to Committee as more than 6 objections received
- 15 objections received including objections forwarded by Cllrs Waddington and Cassidy on behalf of their constituents and one letter of objection forwarded by Liz Kendall MP.

- The main concerns raised are design, residential amenity, traffic and parking issues.
- Recommended for APPROVAL.

The Site

The site is currently a medical centre within a primarily residential area and is situated approximately 150 metres north of the Blackbird Road/Groby Road/Woodgate Local Centre. The site has previously been expanded and altered several times.

The site is within Critical Drainage Area and Surface Flood 1 in 1000 years area.

Background

19910758 - Change of use from a ground floor doctors surgery with residential above to doctor's surgery incorporating single storey treatment room and reception/office extension to rear was approved and implemented.

19911447 – A single storey extension to form a treatment room and a reception/office at the rear and w.c. at side was approved and implemented.

20000872 -A single storey extension at the side and rear of a medical centre (Class D1) was approved but not implemented. Amongst other conditions the following was attached:

3. *Not more than three consulting rooms (which in this case shall be taken to include the 'health visitor room' and 'nurses' room') shall be permitted on the premises.*

(The site is incapable of accommodating the car parking requirements that would be generated by more consulting rooms, and which would be required under the terms of Policy T12 of the City of Leicester Local Plan.)

20201890 - Construction of a single storey extension at the side and rear; two storey extension at the rear of a medical centre (Class E) was withdrawn.

The Proposal

The amended proposal comprises demolition of the existing single storey outbuilding at the rear and the construction of a canopy at the front over the main entrance, single storey extension at the side and rear. The proposal would consist of the relocation of existing ramp at the front. The front elevation to be partly rendered.

The proposal has been further amended to reduce the depth of the rear extension, provide two cycle spaces at the front of the site and clarify the details of the front canopy.

The glazed canopy would be 1.5m deep and 2.2m wide. The supporting wall closest to the boundary with No. 28 Colwell Road would be approximately 2.7m high. The access ramp will be re-positioned at the front of the site.

The side extension would be 2.1m wide with a mono-pitched roof which would measure 3.7m high to the ridge and 2.7m high to the eaves. The side extension would wrap around and join the rear extension. The rear extension as amended would be 6.3m deep and 7.3m wide with M-shaped pitched roofs which would measure 2.7m high to the eaves and 3.6m to the ridge.

There are two rooflights to the single storey side extension and one roof light to the rear extension.

The extended ground floor comprises office/reception area, large waiting area, three consultation rooms, toilet facilities and a store. The proposed first floor would comprise meeting room, office, kitchen and toilet facility.

One car parking space is proposed at the front with corresponding alterations to the dropped kerb. Colwell Road is a non-classified road and the proposed alterations to dropped kerb will not require planning permission.

The front wall would be partly demolished to provide 2 cycle parking spaces at the front.

The proposed hours of opening would be 0830 till 1800 Monday – Friday.

It was originally stated that there would be an increase in staff numbers from 6 to 9 full time employees, but the agent has confirmed there will be no increase in staff numbers nor patient numbers.

Policy Considerations

National Planning Policy Framework (NPPF) 2019

Paragraph 2 states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions

Paragraph 11 states:

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 108 of the NPPF states that development proposals should take up appropriate opportunities to promote sustainable transport modes; ensure safe and suitable access can be achieved for all users and; any significant impact (in terms of

capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 109 advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 124 describes good design as a key aspect of sustainable development.

Paragraph 127 sets out criteria for assessing planning applications which includes issues such as the long term functionality of development proposals; visual impacts; the ability of development to relate to local character; creation of a sense of place using various design tools such as building types and materials; optimising the potential of development sites; and, designing safe, secure and inclusive developments with a high standard of amenity for existing and future users.

Paragraph 163 requires local planning authorities to ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

Paragraph 92 states Councils should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments

Paragraph 92 also states Councils should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Development Plan policies

Development plan policies relevant to this application are listed at the end of this report.

Supplementary Planning Documents (SPD)

Residential Amenity SPD.

Appendix 1 of the City of Leicester Local Plan

Consultations

Local Highways Authority – The depth of the proposed car parking space would be less than the recommended 5.5m depth and could lead to vehicles overhanging the footway. Whilst not ideal, it is recommended that the one-off street parking is preferable to allow additional drop kerb space for vehicles to pass where there are parked cars restricting flow.

It is accepted that the expansion of the surgery would not lead to an increase in the number of patients, so whilst there are parking concerns already along Colwell Road, the proposals would not create additional parking demand.

Trees and Woodlands – No objection

Representations

15 letters of objections received including the representations forwarded by Cllr Waddington, Cllr Cassidy and Liz Kendall MP's raising the following concerns:

- Congestion and traffic to surrounding roads due to lack of parking;
- The proposed one car parking space would overhang the highway causing obstruction to pedestrians/wheelchairs/pushchairs causing safety issues;
- Emergency vehicles when required to attend the centre would block the roadway;
- Noise pollution created by the doctor's surgery itself affecting immediate neighbours and increase in staff would further increase the noise;
- Loss of privacy and loss of light to the neighbouring properties;
- Blocking driveways on numerous occasions which would worsen with the proposal;
- Noise and air pollution from increased traffic and road works would further worsen this;
- Impact on the health of the residents;
- Covid restrictions will be over most likely until the proposed would be built.

The agent has stated that the centre has been closed since the start of the pandemic due to the inability to operate safely to meet COVID requirements. For the centre to re-open the clinical rooms have been increased to the current Health Technical requirements, all located on ground floor to ease access and the waiting area increased in size to allow spacing between those in the waiting room.

Consideration

The lawful use of the property is a medical centre within a primarily residential area. The principle of extensions to the centre are acceptable subject to design, residential amenity, highways and parking and drainage.

Design and Residential Amenity (neighbouring properties)

The siting and design of the glazed canopy to the front elevation would be a subservient addition to the building and would not detrimentally affect the appearance of the property and the street scene.

The applicant proposes part render to the front elevation. The proposed render would project 25mm from the existing wall. The applicant has not specified the colour of the render. However, I consider that the proposed part render will not have significant impact on the visual amenity of the surrounding area and I consider it to be acceptable.

The demolition of the outbuilding at the rear is acceptable.

The proposed side extension due to its size and design would be in keeping with the existing building and the surrounding area. The proposed materials are in keeping with the existing property.

Signage is included on the plans, but this would require a separate advertisement consent and I have attached a note to the applicant in this respect.

24 Colwell Road has an existing single storey extension at rear. The additional rear extension will intersect a 45-degree line from the rear principal room window on the ground floor of 24. However, the proposed rear extension is set back from the common boundary with No. 24 by 2.3m and it would be 2.7m high to the eaves with a shallow pitched roof sloping away from the common boundary. Furthermore 24 Colwell Road is located to the south of the site, has a high wooden fence on the common boundary with the site and therefore the impact in terms of the loss of light to and outlook from a principal room and overshadowing would be minimal. I therefore consider that the proposed rear extension due to its size, location, design, separation distance and orientation will not have significant detrimental impact on the residential amenity of No. 24.

The proposed rear extension will have two windows to the rear and a door to the side elevation facing No. 24. To protect the privacy of the occupiers of No. 24 I recommend obscure glazing to the proposed door.

The rear extension has a M-shaped pitched roof which although is not entirely in keeping with the existing roof typology this cannot be seen from the public realm and I therefore deem this an acceptable response to keep the overall height to a minimum.

28 Colwell Road has an existing single storey extension and a garage to the rear. The proposed wall which supports the glass canopy would be approximately 2.7m high close to the boundary with No. 28 and the existing ramp is relocated in front of the side extension. I consider that the proposed wall and access ramp due to its design and location will not have significant detrimental impact on the residential amenity of No. 28 in terms of loss of light and outlook.

The proposed side and rear extension would replace the existing side extension and the existing outbuilding to the rear. The proposed single storey side and rear extension due to its size, design and location will not have significant detrimental impact on the residential amenity of No. 28 in terms of light, outlook, and privacy.

I am satisfied that there would be minimal outlooking into the properties at the rear due to the proposal being single storey and enclosed by boundary fencing.

Concerns were raised in regards with the increase in noise and air pollution from the proposed development. The proposal would not increase the number of consultation rooms and there will be no increase in number of patients or staff. I am therefore satisfied that the proposed development will not result in significant increase in noise or air pollution compared to the existing lawful use to warrant a refusal. Furthermore, the hours use as specified would be 0830 till 1800 hours Monday to Friday which are the same as what has been operating from the premises. A

condition has been attached to reflect this and to protect the amenities of nearby occupiers.

I consider that the proposed development will have minimum impact on the character & appearance and residential amenity of the surrounding area and would comply with Policy CS03 of the Core Strategy (2014) and saved Policy PS10 of the Local Plan (2006), the Residential Amenity SPD (2008).

Highways and Parking

Colwell Road is a residential road in nature, with mixture of some dwelling having access to off-road parking with front garden driveways, and other properties reliant on parking within the carriageway. The carriageway is relatively wide at approximately 7.5m wide, with footways provided on both sides. There are no parking restrictions along Colwell Road, apart from at the junctions at either end. However, on street parking is prevalent and there are advisory H-bar markings protecting vehicle accesses in the vicinity of the site.

The site benefits from an existing dropped kerb and footway crossing serving the existing parking space within the site. It is proposed to relocate the parking space within the site to accommodate the extension of the building with relocation of access ramp and change the position of the dropped kerb within the highway accordingly. The depth of the proposed car parking space at the front would be approximately 4.7m which is less than 5.5m that would be required in new development. However, I consider that the proposed depth of the car parking would be acceptable in this instance as it would provide one off street parking and allow kerb space on the highway to provide free flow of vehicles along Colwell Road.

The parking requirement is set out in the Vehicle Parking Standards, appendix 1 of the City of Leicester Saved Local Plan Policies. The site is within Zone 4 of standards, and as such would expect 1 space per 22 sqm. The proposal would increase the gross floor area of the existing surgery by 49sqm. Therefore, the proposed development would require an additional 2 to 3 car parking spaces but only 1 space can be provided.

The proposed development would be similar to the earlier approved application (20000872). The applicant has not increased the number of consultation rooms (3 rooms) but have provided additional space for safer COVID working practices to be implemented and is only a modest extension to the existing practice. I therefore consider that the impact on the parking, traffic generation, access by emergency vehicles would be similar to the existing. To maintain this, I recommend a condition similar to the one attached to planning approval 20000872 to restrict the use to 3 consultation rooms.

Furthermore, the applicant proposes 2 cycle parking spaces at the front and this inclusion would help to promote sustainable transport and less reliance to travel by motor vehicles, which is welcomed.

I consider, the additional floor area to provide safer working practices would not create a severe highway safety impact to justify a refusal.

I therefore consider that the proposal would comply with policy AM11 of the Local Plan and CS15 of the Core Strategy.

Flooding/Drainage

The site is within a Critical Drainage Area. The applicant proposes combination of soft and hard landscaping to the rear of the site including removal of the trees. The Trees and Woodlands Officer has raised no objections in removal of trees. I consider that a requirement for a scheme of sustainable drainage would be onerous and that the impact of the proposal in terms of increased surface water run-off is unlikely to be significant. It therefore complies with CS02 of the Core Strategy.

Conclusion

The proposal will have minimum impact on the character and appearance including residential amenity of the surrounding area. It will not result in a severe impact on parking and traffic congestion within the area.

I therefore recommend APPROVAL subject to the following conditions.

CONDITIONS

1. START WITHIN THREE YEARS
2. The new walls and roof shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
3. Not more than three consulting rooms shall be permitted on the premises. (The site is incapable of accommodating the car parking requirements that would be generated by more consulting rooms, and which would be required under the terms of Policy AM11 of the City of Leicester Local Plan and CS15 of the Core Strategy.)
4. The use shall not be carried on outside the hours of 0830 - 1800 hours Monday to Friday. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
5. Before the occupation of the proposed extension the new door facing 24 Colwell Road shall be fitted with obscure glazing and retained as such. (In the interests of the amenity of occupiers of 24 Colwell Road and in accordance with policy PS10 of the City of Leicester Local Plan.)
6. No part of the development shall be occupied until secure cycle parking as shown on approved plans shall be provided and retained thereafter. (In the interests of the satisfactory development of the site and in accordance with policy AM02 of the City of Leicester Local Plan).
7. No part of the development shall be occupied until footway crossing(s) have been provided at each vehicular access in accordance with the Leicester

Street Design Guide, June 2020. (To ensure a satisfactory means of access to the highway, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)

8. No part of the development shall be occupied until the redundant footway crossings has been reinstated and associated H-bar marking removed in accordance with the Leicester Street Design Guide, June 2020". (For the safety and convenience of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
9. This consent shall relate to the amended plans reference nos. 1462-HCD-XX-ZZ-DR-A- 007 Rev G, -10 Rev D, -11 Rev E, -15 Rev D, -16 Rev B received by the City Council as local planning authority on 08/07/2021 and location plan reference no. -005 Rev B received on 30/06/2021. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. No consent is granted or implied for the advertisement shown on the submitted plans, for which a separate application may be necessary.
2. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process (and/or pre-application).

The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2019 is considered to be a positive outcome of these discussions.

Policies relating to this recommendation

2006_AM01	Planning permission will only be granted where the needs of pedestrians and people with disabilities are incorporated into the design and routes are as direct as possible to key destinations.
2006_AM02	Planning permission will only be granted where the needs of cyclists have been incorporated into the design and new or improved cycling routes should link directly and safely to key destinations.
2006_AM12	Levels of car parking for residential development will be determined in accordance with the standards in Appendix 01.
2006_PS10	Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
2014_CS02	Development must mitigate and adapt to climate change and reduce greenhouse gas emissions. The policy sets out principles which provide the climate change policy context for the City.
2014_CS03	The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment.

The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.

2014_CS14 The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development.

2014_CS15 To meet the key aim of reducing Leicester's contribution to climate change, the policy sets out measures to help manage congestion on the City roads.