

P/13/0273/CU

SARISBURY

WHITELEY VILLAGE VET
CENTRE LT

AGENT: MISS CARA GOLDEN

CHANGE OF USE OF FIRST FLOOR FROM D1 (GP/DENTIST) TO VETERINARY
CENTRE/CLINIC

THE WHITELEY SURGERY YEW TREE DRIVE WHITELEY FAREHAM PO15 7LB

Report By

Richard Wright - Ext 2356

Introduction

Members will recall this application was reported to the Planning Committee on 19 June 2013 where Members resolved to grant planning permission. Before the planning permission was issued it came to the attention of Officers that a number of residents had not been notified of the application when it was originally submitted. In light of this, further neighbour notification was carried out and as a result one additional letter has been received raising just two issues, car parking and the dual use of the building for both animals and humans. Both of these issues were debated and considered at length at the meeting before Members resolved to grant planning permission.

Members are therefore requested to have regard to the additional representation and confirm the previous decision to grant planning permission. The application is reported below for Members information:

This application was reported to the Planning Committee on 22nd May. Members resolved to defer determination of the application so that a number of matters detailed below could be addressed. Further supporting information has been received from the applicant in response to these points.

Members requested that consideration be given to improving and increasing the existing parking provision on the site for patients. It was noted that the patient car park at the Whiteley Surgery premises is regularly full to capacity leading to further on street parking congestion along Yew Tree Drive.

The applicant has indicated that to provide additional parking space on the site would potentially make the proposed use unviable. Furthermore, the applicant has clarified that seven of the 23 patient parking spaces (not including disabled spaces immediately outside of the building) are to be allocated to users of the first floor surgery (known as the Yew Tree Clinic) as part of the lease arrangement. They would prefer this allocation to be flexible so that it would not preclude use of those allocated spaces by other users of the building, however they would consider marking those spaces "for Yew Tree Clinic use only" if so required. On that basis, and with reference to the Council's Highways Engineer's comments on the expected demand arising from the vet's use being lower than the authorised use, no further parking provision or enhancement is proposed by the applicant.

The applicant understands that the doctor's surgery are in the process of staggering surgery opening times to address the existing parking problems. Officers are also led to believe that

the doctor's surgery management propose to repaint the lines marking the disabled parking spaces on site.

Members also asked for further details on the proposed shared access to the building for patients of the proposed vets and the existing doctors surgery. Clarification was sought as to whether separate accesses for each use could be provided. The applicant has advised this is not possible to achieve, for the reasons given below.

The applicant has explained that all health and adult social care services in England are regulated by the Care Quality Commission (CQC) and that this body was consulted on the proposals. There are understood to be no issues that would oppose a letting of the first floor clinic to a veterinary practice. The applicant maintains that vets operate with the same level of hygiene and disease control as that found in any human surgery or hospital, and that neither they or the GPs based in the building foresee an increase risk to human or animal patients.

There is no proposal to provide separate entrances for human or animal patients. The applicant does not consider this to be necessary and stresses that the existing shared access is accessible from the ground floor through a shared lift and set of stairs and that there would be no patients for the doctor's surgery accessing the first floor. Staff for the doctor's surgery have the benefit of another staircase on the northern rear elevation of the building. Both users of the building will employ cleaning contractors for their exclusive space and share the costs of cleaning the common parts. The GP surgery management is understood to be happy with the proposed shared access arrangements.

With regards to animal cadavers, similar to human hospitals veterinary clinics have a morgue. A pet crematorium company will be used to collect cadavers and clinical waste outside of normal business hours to ensure that neither the public, users of the GPs or vet clinics would be exposed to this process. It is intended to use the existing clinical waste storage area already used by the GP practice, which would have also been intended for use by the dentist's surgery.

Site Description

The application site comprises the Whiteley Surgery building and its grounds located on the northern side of Yew Tree Drive, Whiteley.

Planning permission was granted in December 2005 for the surgery building under planning reference P/05/1582/FP. The building provides space over two storeys for health care provision and comprises a pharmacy at ground floor level, a dental practice at first floor level with five consulting rooms available (Yew Tree Clinic) and a GP surgery across both floors with six GP consulting rooms and a further two other consulting rooms (Whiteley Surgery). Externally 26 parking spaces (including three disabled spaces) for patients are available in a parking area to the immediate south of the building. A staff parking area providing a further nine spaces is located to the east of the building. The two car parks have separate vehicular accesses onto Yew Tree Drive.

Description of Proposal

Permission is sought for the change of use of part of the first floor of the building from its current GP/dentist use to a veterinary centre/clinic.

The submitted proposed floor plan shows that the veterinary clinic will have two consulting rooms as well as an x-ray room, prep room and operating theatre. A soundproofed kennel

room is proposed with the intention being to provide overnight care for animals where necessary. The supporting statement submitted with the application explains that it is envisaged that 3 - 4 members of staff will be employed initially (1 vet, 2 nurses and potentially a receptionist), however the application form suggests as many as six persons may be employed. Access for patients is to remain via the building's main front lobby which has an internal staircase to the first floor.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS5 - Transport Strategy and Infrastructure

CS17 - High Quality Design

Relevant Planning History

The following planning history is relevant:

<u>P/05/1582/FP</u>	Erection of New G P Surgery, Pharmacy and Dental Surgery following Removal of Existing Temporary Surgery & Shop
PERMISSION	22/12/2005

Representations

Five letters have been received objecting to the application on the following grounds:

- Concerns over sick animals and people sharing same premises / hygiene implications / health risks
- Children afraid of dogs
- Parking concerns

Consultations

Director of Planning & Environment (Highways) -

Having looked at the 2005 consent and supporting documents, it is accepted that there is a valid permission to use the first floor suite as a dentist practice with five consulting rooms. On that basis there would be no highway objection.

It appears that the vet use will be of a lower key than a prospective dental surgery, so that parking demand is most likely to also be lower. In retrospect such a use is probably the least problematic in terms of parking demand/traffic generation.

The amount of parking currently on the site is below the full standard normally sought. This came about as a result of accepting a lower parking provision in 2005 when it was suggested that the site was sustainable in regard to bus services.

Director of Regulatory & Democratic Services (Environmental Health) -

No adverse comments in respect of this application.

Searches have been carried out for information relating to businesses of this nature occurring in the same building without success so this is a very unusual situation. Health & safety matters in both GP and veterinary surgeries are enforced by the Health & Safety Executive and not the local authority. However, it is suggested that infection control in vets

is equal to a GP surgery. They will both operate to protect patients, owners, staff and where appropriate, the wider the community. The need for a formal infection control program is paramount and would relate to hand hygiene, surgery controls, isolation facilities, proper wound care, education etc. It is understandable that if people are afraid of animals or allergic to them, they may be reticent to visit the GP. If they are unaware of the existence of the vets practice, they will be surprised to come across dogs etc in the building and if these visitors have a fear of animals, then this could lead to quite stressful incidents. Separate entrances would limit such confrontation but that does not appear possible in this case. The stairwell appears to be the most likely place for human and animal patients to meet.

Bearing in mind the distance between the property and the nearest noise sensitive dwelling and the fact that the kennel to the first floor is to be located to the left of the building, it is not necessarily that the kennel area will require specialist noise insulation unless there is any overnight sleeping accommodation in the GP surgery below. It is unlikely that any barking during the day will be allowed to continue for such long periods to possibly cause a statutory noise nuisance to people working below or nearby residents. However, it is suggested that the kennel be provided with a double glazed window (presumably already in place) which is kept closed at night. It would also be ideal to also for a staff member to be on site at night whenever dogs are being kept in the kennel to further ensure that any barking is kept to an absolute minimum.

Planning Considerations - Key Issues

The determination of this application turns on two key issues, the potential effect on parking provision on the site and residential amenity of residents living nearby.

i) Effect on parking provision for multiple uses of surgery building

The building is currently used as a mixed health care facility comprising a pharmacy, dentists and GP surgery. Officers understand from the applicant that the dental practice is no longer in use, however this does not detract from the fact that there is an extant lawful use as such for a five consulting room practice at first floor level and that this is a material consideration which must be taken into account. Notwithstanding therefore that the Council's Highways adviser considers the parking provision to be below the full standards to be expected, comparatively speaking the proposed veterinary practice would be unlikely to generate a higher parking demand than the existing lawful dentist use. With that in mind the proposal is not considered to be unacceptable in this respect as there would be no demonstrable harm arising from the change of use.

The conditions imposed on the original planning permission relating to parking provision on the site should be repeated on any forthcoming consent.

ii) Effect on residential amenity

The kennelling of animals at the premises has the potential to cause noise nuisance to residents living nearby. The Council's Environmental Health Officer has considered this potential and advised that, in light of the distance involved to the nearest house of some 35 - 40 metres, provided double glazed windows are fitted in the kennel room and a member of staff present on the site should animals be kept overnight, it is unlikely there would be any noise nuisance adversely affecting residents.

The proposed opening hours of the veterinary clinic of 0800 - 1900 hours Monday to Friday, 0900 - 1200 Saturdays, 1100 - 1200 Sundays and bank holidays would appear to be

reasonable and are unlikely to lead to noise and disturbance at unsocial hours which may otherwise be harmful to the amenities of neighbours.

iii) Other matters

The letters of representation received in objection to this application raise concerns over the health and hygiene implications of animals and people sharing the same building to access medical facilities. The issue of children being afraid of large dogs when visiting the doctors surgery has also been raised. Such matters, although clearly of importance to those residents who have written on the subject, are not material planning considerations and would not in themselves be sufficient reason for Officers to recommend refusing planning permission.

With regards to the control of the first floor premises in the future, this Council considers veterinary clinics not to fall within any given use class and are therefore sui generis uses. No change to another use would be possible without the need for a further planning application to the local planning authority. The space available at first floor level allows some potential intensification and expansion of the veterinary clinic use in the future, however the physical constraints of the premises mean that this would be unlikely to be at a scale which might be detrimental to residential amenity or have further implications in terms of parking provision.

Recommendation

PERMISSION: use hereby permitted limited to the first floor area shown on the approved floor plan; window to kennel room double glazed, fixed shut and retained in that condition thereafter; opening hours to customers (0800 - 1900 hours Monday to Friday, 0900 - 1200 Saturdays, 1100 - 1200 Sundays and bank holidays); no animals kept on premises outside of customer opening hours without member of staff present; staff parking spaces; patient parking spaces.

Background Papers

P/13/0273/CU

FAREHAM

BOROUGH COUNCIL



The Whiteley Surgery
Scale 1:1250

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