

05/14/0062

MRS M BARNACLE

CHANGE OF USE FROM RESIDENTIAL DWELLING (C3) TO A CHIROPODY CLINIC (D1) AT 1 HIGHFIELDS, BISHOPS HULL

Location: 1 HIGHFIELD, BISHOPS HULL, TAUNTON, TA1 5LH

Grid Reference: 321112.124465 Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo J104/02 REV B Location Plan and Block Plan

(A3) DrNo J104/01 Survey Floor Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The area allocated for parking and turning on the submitted plan shall be properly constructed, consolidated, surfaced, drained and marked out before the use commences and shall not be used other than for the parking of vehicles in connection with the development hereby permitted, details of which must be submitted prior to work commencing on the parking area.

Reason: To ensure that there is adequate space within the site for the parking of vehicles clear of the highway in accordance with retained Policy M4 of the Taunton Deane Local Plan.

4. The premises shall be used for a Chiropody Clinic and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and

Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To prevent any uses that would harm the amenity of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.

PROPOSAL

The proposal comprises the change of use from a residential dwelling (Class C3) to a Chiropody Clinic (Class D1). The application also includes the addition of 4 parking spaces (amended from 2 disabled parking spaces) opposite the building, the removal of the existing front boundary fence to create additional space for turning.

Internally, two clinic rooms are proposed along with a waiting room, staff room, and office/storage room. The Clinic will operate 9-5 Monday to Friday and 9-1pm on Saturdays.

The proposed Chiropody Clinic is an extension of the existing business, Albury House, that is sited approximately 60m away and currently offers treatments including physiotherapy, reflexology, osteopathy, podiatry and chiropody.

The application is presented to the Planning Committee as the agent is related to a member of staff.

SITE DESCRIPTION AND HISTORY

The existing dwelling is sited at the beginning of a shared private access road (Highfield) that serves 5 other dwellings in Highfield. The property is sited on the edge of Taunton within a predominately residential area, though there are other non-residential buildings close by; The Living Christian Centre that backs onto the site and the existing clinic at 134 Wellington Road.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

BISHOPS HULL PARISH COUNCIL -

The Parish Council supports the application, but requests that a condition be imposed requiring the submission of details of wording to be given to clients to encourage non-disabled clients not to park at the application premises.

Representations

FIVE LETTERS OF OBJECTION: -

Objections from original submission: -

Information that could dispute land ownership.

Creation of parking spaces could create subsidence to adjoining fence, patio and garden area.

Loss of residential dwelling.

Increase in traffic on a private road; is private road a public right of way; Road poorly lit and has potholes - health & safety; maintenance concerns; used as a 'rat run'; poor junction

Increased traffic noise

2 parking spaces for disabled - users will not walk to clinic from Gypsy Lane or current practice.

Has parking been identified for staff and clinic users.

Other buildings away from quiet residential area that could be used for the business.

Objections from amended plans: -

4 parking spaces will further increase traffic and noise.

PLANNING POLICIES

NPPF - National Planning Policy Framework,

CP1 - TD CORE STRAT. CLIMATE CHANGE,

CP2 - TD CORE STRATEGY - ECONOMY,

CP6 - TD CORE STRATEGY - TRANSPORT AND ACCESSIBILITY,

CP8 - CP 8 ENVIRONMENT,

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,

LOCAL FINANCE CONSIDERATIONS

The development would not be CIL liable.

The development of this site would not result in payment to the Council of the New Homes Bonus.

DETERMINING ISSUES AND CONSIDERATIONS

The main considerations are impact on residential amenity and highway safety.

Residential amenity

The proposed use as a Chiropody Clinic is considered to be a compatible use within this location. It is not considered the use would generate any noise that would not be unacceptable within a residential area. Furthermore, the property is sited at the beginning of Highfield, with the rear of 'The Living Christian Centre' close to the site. As such, within this context there is not considered to be any harm to the character of the area or Highfield.

The traffic generated from clients would not be early in the morning or late in the evening, and given any vehicles visiting the site would not be continuous, it is considered that any noise from vehicles would not be detrimental or different from a residential use.

A condition can request details of the construction of the car parking area to prevent any impact to the adjoining property in Lavender Grove.

Highways

As amended, the application has replaced the two disabled parking spaces with four parking spaces. As there are only two treatment rooms, the purpose of the additional parking spaces is to prevent any clients having to park in Gypsy Lane, or Highfield if early for an appointment. Parking will still be available at Albury House if required; the owner of the business has confirmed that moving the Chiropody Clinic will allow the refurbishment of the existing business, increasing the size of the existing treatment rooms, so overall there would be no increase in the number of treatment rooms.

Given the close proximity to the town, and that the building is sited near public transport routes, staff would have other options, other than the car when travelling to work.

Within the site, the existing front boundary fence is to be removed, providing an additional area for turning so all vehicles would leave in a forward gear. Though there may be some increase in traffic using Highfield, this is considered to be minimal and would be infrequent as there are two waiting rooms and clients would have staggered appointments.

Future maintenance responsibilities would have to be agreed with the relevant owners of the private road.

Other matters

The applicants believe all of the application site is within their ownership and are currently investigating this as a part of the sale of the site. There is no evidence to suggest that the applicants would have to serve notice on any other party.

Conclusion

In this location, on the edge of Highfield and close to other non-residential uses, a Chiropody Clinic is considered to be acceptable. The clinic would have minimal impact on any residential amenity and parking spaces provided will prevent any increase off road parking elsewhere. As an extension to the existing clinic to Albury House, overall there will be no increase in traffic within the area. Though any traffic increase to Highfield would be minimal and not continuous. The proposal is therefore considered acceptable and recommended for approval.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

CONTACT OFFICER: Mr D Addicott Tel: 01823 356463

