

<b>Agenda Item</b> A9	<b>Committee Date</b> 20 September 2010	<b>Application Number</b> 10/00624/CU
<b>Application Site</b> Land At Mossgate Park Mossgate Park Heysham Lancashire	<b>Proposal</b> Change of use of land to form a car park	
<b>Name of Applicant</b> Rushcliffe Healthcare Ltd	<b>Name of Agent</b> Mellor Architects	
<b>Decision Target Date</b> 13 August 2010	<b>Reason For Delay</b> Rise in application numbers	
<b>Case Officer</b>	Mr Andrew Drummond	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Temporary permission	

### **1.0 The Site and its Surroundings**

- 1.1 The 0.183 hectare application site is located between Emmaus Road and Middleton Way in Heysham. It forms part of the development site for the new health centre (09/00668/FUL).
- 1.2 The local environment around the site has a number of different uses. Between the approved health centre and the approved sports facilities is a County Youth Centre and Heysham Methodist Free Church, whilst north of the health centre are two tennis courts. On the opposite side of Middleton Way is an existing health facility with another church and public house further to the north. However, the predominant use in the area is residential.
- 1.3 The section of the site enclosed by Middleton Way and Emmaus Road is allocated as Urban Green Space and Outdoor Playing Space.

### **2.0 The Proposal**

- 2.1 The application seeks planning permission for a car park with 49 spaces between part of the approved health centre and Emmaus Road. Access to the proposed car park would be from Middleton Way via Emmaus Road.
- 2.2 The car park would have a flat, tarmac finish with standard white lining.

### **3.0 Site History**

- 3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

<b>Application Number</b>	<b>Proposal</b>	<b>Decision</b>
09/00668/FUL	Erection of a medical centre, indoor sports centre with associated accommodation, flood lit outdoor sports pitch and associated car parking	Approved

10/00007/VCN	Variation of Condition 39 on planning permission 09/00668/FUL to permit the removal of the existing bowling greens prior to the provision of the new bowling greens	Approved
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#### **4.0 Consultation Responses**

4.1 The following responses have been received from statutory and internal consultees:

<b>Consultees</b>	<b>Response</b>
<b>County Highways</b>	The design and access statement indicates that this would be an interim arrangement for car parking at the site pending construction of the second phase of building work at the Primary Care Centre. It could be argued that if only the initial build stage is to be carried out in the short term, there would not be a requirement to provide the full parking provision previously approved for the site as a whole. However, given that this is to be a temporary arrangement and the car park will be removed on when the second phase is built there is no objection, particularly as experience indicates that parking demand at health centres tends to be high.
<b>Heysham Parish Council</b>	No comments received during the statutory consultation period.

#### **5.0 Neighbour Representations**

5.1 No correspondence was been received at the time of compiling this report. Any comments subsequently received will be reported verbally.

#### **6.0 Principal Development Plan Policies**

##### **6.1 National Planning Policy Statements (PPS) and Guidance Notes (PPG)**

**PPS 1** (Delivering Sustainable Development) - provides generic advice for all new built development including the encouragement of sustainable modes of transport, which is echoed in PPG 13 - Transport.

**PPG13** (Transport) - provides a national planning policy framework for transport matters. It encourages sustainable travel - ideally non-motorised forms of transport such as walking and cycling, but also other means like public transport. The use of the car should be minimised. This can be encouraged by the location, layout and design of new developments, but also through the implementation of Travel Plans.

##### **6.2 Lancaster District Local Plan - adopted April 2004 (saved policies)**

Policy **R21** (Access) - requirement for new development to provide access for people with disabilities.

##### **6.3 Lancaster District Core Strategy - adopted July 2008**

Policy **SC1** (Sustainable Development) - Development should be located in an area where it is convenient to walk, cycle or travel by public transport between homes, workplaces, shops and other facilities, must not result in unacceptable flood risk or drainage problems, does not have a significant adverse impact on a site of nature conservation or archaeological importance, uses energy efficient design and construction practices, incorporates renewable energy technologies, creates publicly accessible open space, and is compatible with the character of the surrounding landscape.

Policy **SC5** (Achieving Quality in Design) - new development must reflect and enhance the positive characteristics of its surroundings, creating landmark buildings of genuine and lasting architectural merit.

Policy **E2** (Transportation Measures) - This policy seeks to reduce the need to travel by car whilst

improving walking and cycling networks and providing better public transport services.

## **7.0 Comment and Analysis**

### **7.1 Highways and Parking**

The health centre application was submitted (09/00668/FUL) with the expectation that a number of local doctors' surgeries would be located within the building, along with some additional health facilities. However, the applicant to date has not had the interest that they had hoped, and as a result only half the building is required at this time. Therefore the applicant does not wish to build the "east wing" of the approved building, but instead provide 49 car parking spaces in its place.

The Highway Authority is sympathetic to the idea of providing the overspill car park in this location on a short term basis of 2 years (rather than behind the Heysham Methodist Free Church as approved under 09/00668/FUL) despite the fact that roughly half of the health centre's accommodation is not being provided. In total 94 car parking spaces would be provided, plus a further 10 mobility spaces, which equates to the number of spaces approved for the whole health centre. Though this far exceeds County's requirements for the reduced development, they are clearly supportive of the proposal as can be seen in their consultation response.

However, it must be conditioned that the overspill car park approved under 09/00668/FUL is not also implemented and brought into use, otherwise the health facility would be significantly over-provided with car parking. Furthermore, there is no detail on the drawings or in other parts of the application of how the applicant proposes to "police" the area between parking spaces nos. 39 and 40 as there is the potential for an additional 11 spaces to be provided in this gap, which again would push the number of spaces over the agreeable limit. The detail of this area must be agreed with the Local Planning Authority prior to commencement, so a condition will be required in this regard.

The overspill car park would be provided to serve Phase 2 of the development, the omitted "east wing", at such time as there is demand for the additional health accommodation.

### **7.2 Design**

Whilst the principle of the car park is acceptable in the short term, there are details that have been omitted from this application which must be resolved to the satisfaction of the Local Planning Authority. The omission of the "east wing" of the health centre means that part of the central part of the building will now have an external façade where before it was connected into the part of the development that is to be left until a later phase. It is important that the details of this elevation are agreed with the Local Planning Authority prior to work commencing.

### **7.3 Open Space**

The site is allocated as Urban Green Space and Outdoor Playing Space. However, there are 2 permissions already in place that deal with this particular issue. Firstly, the health centre (09/00668/FUL) has approval to be constructed in this location with the children's play space being located a short distance away to the north, and secondly, the 2 bowling greens (09/00776/FUL) have been relocated to a nearby site.

## **8.0 Planning Obligations**

8.1 None.

## **9.0 Conclusions**

9.1 The proposed scheme would provide the same number of car parking spaces as the approved scheme (09/00668/FUL) though it would only serve half the development. Despite this, the Highway Authority is supportive of the proposal, though only on a temporary basis of 2 years. In light of this, temporary permission is recommended subject to the conditions listed below, which pick up the points raised in Section 7.

## **Recommendation**

That temporary Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard 3 year timescale
2. Temporary permission - use for 2 years
3. Works to accord with plans
4. Overspill car park permitted under planning permission 09/00668/FUL to the rear of Heysham Free Methodist Church on Emmaus Road shall not be constructed or brought into use whilst the temporary car park hereby approved remains in use.
5. East elevation of health building - details required prior to commencement
6. Surface treatment between car spaces nos. 39 and 40 on the approved plan to prevent parking - details required prior to commencement

## **Human Rights Act**

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

## **Background Papers**

None.